

Chief Clerk of the House

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By: Robert Fuente

H.B. No. 3586

A BILL TO BE ENTITLED

AN ACT

relating to powers and duties of the Edwards Aquifer Authority to manage and protect the Edwards Aquifer including groundwater withdrawals, permitting, aquifer management fees, recharge projects, demand management and transfers, the board of directors of the Edwards Aquifer Authority and revenue bonding authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1.03, Chapter 626, Acts of the 73<sup>rd</sup> Legislature, Regular Session, 1993 and Chapter 966, Acts of the 77<sup>th</sup> Legislature, Regular Session, 2001, is amended by adding Subsection (28) to read as follows:

(28) "Water supply facility" means a dam, reservoir, treatment facility, or recharge project.

SECTION 2. Section 1.09, Chapter 626, Acts of the 73<sup>rd</sup> Legislature, Regular Session, 1993, as amended by Chapter 261, Acts of the 74<sup>th</sup> Legislature, Regular Session, 1995, is amended by adding Subsections (i) and (j) as follows:

(i) To be eligible to be elected or appointed as a voting member of the board, a person must have resided continuously in the authority single-member election district from which the office is elected for six months immediately preceding the following date:

(1) for a candidate for election, the 60<sup>th</sup> day prior to the general election date;

(1) for an appointee to office, the date the appointment

1 is made.

2 (j) A person who files with the authority an application to  
3 be a candidate for or appointed to the office of director of the  
4 board for a single-member election district may request from the  
5 authority a written certification of the district in which the  
6 residence address identified in the application is located. The  
7 certification request shall be in writing on a form provided by the  
8 authority.

9 (1) Upon receipt of a certification request, within 10  
10 days, the authority shall consult with appropriate county election  
11 officials and review public records to determine in which single-  
12 member election district the residence address is located. Upon  
13 making the determination, the general manager, or designated  
14 representative, shall issue a written certification stating:

15 (a) the county and authority district in which the  
16 residence address on the candidacy or appointment application is  
17 located; and

18 (b) the date of issuance of the certification.

19 (2) In the event the authority is unable to reasonably  
20 determine the location of a residence address within a district, or  
21 otherwise provide the requested information, the authority shall so  
22 advise the requestor.

23 (3) All certification requests must be filed with the  
24 authority no later than the close of business of the authority on  
25 the 10<sup>th</sup> day preceding the following date:

26 (a) for a candidate for election, the last day to  
27 file with the authority an application for a place on the ballot;

1     or

2                     (b) for an appointee to office, the last day to  
3     file with the authority an application to be appointed to fill a  
4     vacancy.

5             (4) The authority shall not process any certification  
6     request filed with the authority after the time periods set out in  
7     Subsection (j)(3).

8             (5) In the event a candidate for election or appointment  
9     receives a certification from the authority which was incorrect at  
10    the time it was made, and the candidate desires to assume the  
11    office, having otherwise qualified for election or appointment as  
12    an authority director, the candidate must, no later than 60 days  
13    from the date the candidate was made aware of such error in  
14    certification, establish and maintain residency in the district  
15    from which the candidate was elected or appointed. In the event the  
16    candidate fails to establish residency within 60 days as required,  
17    the candidate shall be considered ineligible, the office shall be  
18    declared vacant, and the resulting vacancy shall be filled in the  
19    manner prescribed to fill vacancies in the office.

20             SECTION 3.       Section 1.094(c), Chapter 163, Acts of the 76<sup>th</sup>  
21     Legislature, Regular Session, 1999, is repealed.

22             SECTION 4.       Section 1.11(f), Chapter 626, Acts of the 73<sup>rd</sup>  
23     Legislature, Regular Session, 1993 and Chapter 966, Acts of the 77<sup>th</sup>  
24     Legislature, Regular Session, 2001, is amended to read as follows:

25             (f) The authority may contract with a person who uses water  
26     from the aquifer for the authority or that person to own, finance,  
27     design, construct, operate, or [~~own, finance, and~~] maintain water

1 supply facilities. ~~[Management fees or special fees may not be used~~  
2 ~~for purchasing or operating these facilities. For the purpose of~~  
3 ~~this subsection, "water supply facility" includes a dam, reservoir,~~  
4 ~~treatment facility, transmission facility, or recharge project.]~~

5 SECTION 5. Section 1.14(b)-(h), Chapter 626, Acts of the  
6 73<sup>rd</sup> Legislature, Regular Session, 1993, is amended to read as  
7 follows:

8 (b) Except as provided by Subsections (c) ~~[(d)]~~, (e) ~~[(f)]~~,  
9 and (g) ~~[(h)]~~ of this section and Section 1.26 of this article,  
10 beginning January 1, 2005 ~~[for the period ending December 31,~~  
11 ~~2007]~~, the amount of permitted withdrawals from the aquifer may not  
12 exceed 550,000 ~~[450,000]~~ acre-feet of water for each calendar year.

13 ~~[(c) Except as provided by Subsections (d), (f), and (h) of~~  
14 ~~this section and Section 1.26 of this article, for the period~~  
15 ~~beginning January 1, 2008, the amount of permitted withdrawals from~~  
16 ~~the aquifer may not exceed 400,000 acre-feet of water for each~~  
17 ~~calendar year.]~~

18 (c) ~~[(d)]~~ If, through studies and implementation of water  
19 management strategies, including conservation, springflow  
20 augmentation, diversions downstream of the springs, reuse, supple-  
21 mental recharge, conjunctive management of surface and subsurface  
22 water, and drought management plans, programs, practices,  
23 procedures, or methods, of any kind, the authority determines that  
24 the amount of water available for permitting under Subsection (b)  
25 of this section should be changed to more effectively accomplish  
26 the purposes of this article ~~[additional supplies are available~~  
27 ~~from the aquifer]~~, the authority, in consultation with appropriate



1 state and federal agencies, may review and, by order, change the  
2 amount of water available for permitting under Subsection (b) of  
3 this section [~~may increase the maximum amount of withdrawals~~  
4 ~~provided by this section and set a different maximum amount of~~  
5 ~~withdrawals~~]. Beginning September 1, 2006, and every four years  
6 thereafter, the Authority shall determine whether the amount of  
7 water available for permitting under Subsection (b) of this section  
8 should be changed pursuant to this subsection. If the requirements  
9 of Subsection (a) have not all been met, the authority shall by  
10 March 1 of the succeeding year implement new requirements to assure  
11 compliance with Subsection (a).

12 (d) [~~(e)~~] Unless made pursuant to the transfer of a regular,  
13 term, emergency, monitoring, or recharge recovery permit, the  
14 transfer of interim authorization, or an exempt well, the [~~The~~]  
15 authority may not allow withdrawals from the aquifer through wells  
16 drilled after June 1, 1993 [~~, except additional water as provided~~  
17 ~~by Subsection (d) and then on an interruptible basis~~].

18 (e) [~~(f)~~] If the level of the aquifer is equal to or greater  
19 than 650 feet above mean sea level as measured at Well J-17, the  
20 authority shall [~~may~~] authorize withdrawals pursuant to initial  
21 regular permits [~~withdrawals~~] from the San Antonio pool, on an  
22 uninteruptible basis [~~, of permitted amounts~~]. If the level of  
23 the aquifer is equal to or greater than 845 feet at Well J-27, the  
24 authority shall [~~may~~] authorize withdrawals pursuant to initial  
25 regular permits [~~withdrawals~~] from the Uvalde pool, on an  
26 uninteruptible basis [~~, of permitted amounts~~]. If the level of the  
27 aquifer is less than 650 feet above mean sea level as measured at

1 Well J-17, the authority may, pursuant to Section 1.26 of this  
2 article, interrupt withdrawals pursuant to initial regular permits  
3 from the San Antonio pool. If the level of the aquifer is less than  
4 845 feet at Well J-27, the authority may, pursuant to Section 1.26  
5 of this article, interrupt withdrawals pursuant to initial regular  
6 permits from the Uvalde pool. Pursuant to Section 1.26 of this  
7 article, the [The] authority shall require interruptions in [limit  
8 ~~the additional~~] withdrawals, or require implementation of programs,  
9 practices, procedures, or methods, pursuant to Subsection (g) of  
10 this section, to protect [to ensure that] springflows at the Comal  
11 Springs and San Marcos Springs [are not affected] during demand  
12 management and critical period management [drought] conditions.

13 (f) [~~g~~] The authority by rule may define other pools within  
14 the aquifer, in accordance with hydrogeologic research, and may  
15 establish index wells for any pool to monitor the level of the  
16 aquifer to aid the regulation of withdrawals from the pools.

17 (g) [~~h~~] By [~~To accomplish the purposes of this article, by~~]  
18 June 1, 2005 [~~1994~~], the authority [~~, through a program,~~] shall  
19 implement and enforce water management programs, practices,  
20 procedures, or [~~and~~] methods to ensure that, not later than  
21 December 31, 2012, the continuous minimum springflows of the Comal  
22 Springs and the San Marcos Springs are maintained to protect  
23 endangered and threatened species to the extent required by federal  
24 law. The authority from time to time as appropriate may revise the  
25 programs, practices, procedures, or [~~and~~] methods. To meet this  
26 requirement, the authority shall require:

27 (1) pursuant to Section 1.26 of this article, phased

1 reductions in the amount of water that may be used or withdrawn by  
2 existing users or categories of other users; or

3 (2) implementation of alternative management programs,  
4 practices, procedures, or ~~[and]~~ methods.

5 SECTION 6. Section 1.15(b), Chapter 626, Acts of the 73<sup>rd</sup>  
6 Legislature, Regular Session, 1993, is amended to read as follows:

7 (b) Except as provided by Sections 1.17, ~~[and]~~ 1.33, and  
8 1.331 of this article, a person may not withdraw water from the  
9 aquifer or begin construction of a well or other works designed for  
10 the withdrawal of water from the aquifer without obtaining a permit  
11 from the authority.

12 SECTION 7. Section 1.16(e)-(h), Chapter 626, Acts of the  
13 73<sup>rd</sup> Legislature, Regular Session, 1993, is amended to read as  
14 follows:

15 (e) To the extent water is available for permitting, the  
16 board shall issue an ~~[the]~~ existing user a regular permit for  
17 withdrawal of an amount of water equal to the user's maximum  
18 beneficial use of water without waste during any one calendar year  
19 of the historical period. If an existing ~~[a water]~~ user does not  
20 have historical use for a full year, then the authority shall set  
21 the user's maximum beneficial use of water without waste as the  
22 ~~[issue a permit for withdrawal based on an]~~ amount of water that  
23 would normally be beneficially used without waste for the intended  
24 purpose for a calendar year.

25 (f) If the total amount of water determined to have been  
26 beneficially used without waste under Subsection (e) of this  
27 section ~~[this subsection]~~ exceeds the amount of water available for

1 permitting under Subsection (b) of Section 1.14 of this article,  
2 the authority shall proportionately adjust the amount of water  
3 authorized for withdrawal under regular ~~[the]~~ permits  
4 ~~[proportionately]~~ to meet the amount available for permitting.  
5 Except as provided by Subsection (b) of Section 1.21 of this  
6 article, no existing user may be proportionately adjusted below the  
7 following amounts:

8 (1) for an ~~[An]~~ existing irrigation user, ~~[shall receive~~  
9 ~~a permit for not less than]~~ two acre-feet a year for each acre of  
10 land the user actually irrigated in any one calendar year during  
11 the historical period; or ~~[=]~~

12 (2) for an ~~[An]~~ existing user who has operated a well  
13 for three or more years during the historical period, ~~[shall~~  
14 ~~receive a permit for at least]~~ the average amount of water  
15 withdrawn annually during the historical period.

16 (g) Except as provided by Subsection (b) of Section 1.21 of  
17 this article, in the event a proportional adjustment results in an  
18 amount of water authorized for withdrawal under a regular permit  
19 that is less than an applicable minimum regular permit amount  
20 specified in Subsection (f) of this section, then the Authority  
21 shall restore the amount to be equal to the minimum regular permit  
22 amount.

23 (h) ~~[+f+]~~ The board by rule shall consider the equitable  
24 treatment of a person whose historic use has been affected by a  
25 requirement of or participation in a federal program.

26 (i) ~~[+g+]~~ The authority shall issue an initial regular permit  
27 without a term, and an initial regular permit remains in effect

1 until the permit is abandoned, cancelled, or retired.

2 (j) ~~(h)~~ The board shall notify each permit holder that the  
3 permit is subject to limitations as provided by this article.

4 SECTION 8. Section 1.21, Chapter 626, Acts of the 73<sup>rd</sup>  
5 Legislature, Regular Session, 1993, is amended to read as follows:

6 SECTION 1.21 ~~[PERMIT]~~ RETIREMENT OF PERMITS OR APPLICATIONS.

7 (a) The authority shall prepare and implement a plan for reducing,  
8 by January 1, 2005 ~~[2000]~~, the maximum annual volume of water  
9 authorized to be withdrawn from the aquifer under regular permits  
10 to 550,000 ~~[400,000]~~ acre-feet a year or the adjusted amount  
11 determined under Subsection (c) ~~(d)~~ of Section 1.14 of this  
12 article. The plan must be enforceable and must include measures to  
13 retire all or part of regular permits or applications for initial  
14 regular permits, or other water management measures designed to  
15 achieve the required reductions.

16 ~~[(b) The plan must be enforceable and must include water~~  
17 ~~conservation and reuse measures, measures to retire water rights,~~  
18 ~~and other water management measures designed to achieve the~~  
19 ~~reduction levels or appropriate management of the resource.]~~

20 (b) ~~(c)~~ If, on or after January 1, 2005 ~~[2000]~~, the overall  
21 volume of water authorized to be withdrawn from the aquifer under  
22 regular permits is greater than 550,000 ~~[400,000]~~ acre-feet a year  
23 or greater than the adjusted amount determined under Subsection (c)  
24 ~~(d)~~ of Section 1.14 of this article, the Authority shall  
25 immediately proportionately adjust the maximum authorized  
26 withdrawal amount of each regular permit as determined under  
27 Subsection (e) of Section 1.16 of this article ~~[shall be~~

1 ~~immediately reduced by an equal percentage]~~ as is necessary to  
2 reduce aggregate ~~[overall]~~ maximum authorized withdrawals under  
3 regular permits ~~[demand]~~ to 550,000 ~~[400,000]~~ acre-feet a year or  
4 the adjusted amount, as appropriate. In the event a proportional  
5 adjustment results in an amount of water authorized for withdrawal  
6 under a regular permit that is less than an applicable minimum  
7 regular permit amount specified in Subsection (f) of Section 1.16  
8 of this article, then the Authority shall, in accordance with  
9 Section 1.29 of this article, compensate the permittee for the  
10 amount of the authorized withdrawal below the minimum regular  
11 permit amount that was proportionately adjusted in order to meet  
12 550,000 acre-feet a year, or as that amount may be adjusted under  
13 Subsection (c) of Section 1.14 of this article. The amount reduced  
14 may be restored, in whole or in part, as other appropriate measures  
15 are implemented that maintain overall demand at or below the  
16 appropriate amount.

17 SECTION 9. Section 1.26, Chapter 626, Acts of the 73<sup>rd</sup>  
18 Legislature, Regular Session, 1993, is amended to read as follows:

19 SECTION 1.26 DEMAND MANAGEMENT AND CRITICAL PERIOD MANAGEMENT  
20 PLAN. (a) The authority shall prepare and coordinate implementation  
21 of a plan for demand management and critical period management ~~[on~~  
22 ~~or before September 1, 1995]~~. The mechanisms must:

23 (1) distinguish between discretionary use and  
24 nondiscretionary use;

25 (2) require reductions of all discretionary use to the  
26 maximum extent feasible;

1           (3) require utility pricing, to the maximum extent  
2 feasible, to limit discretionary use by the customers of water  
3 utilities; and

4           (4) require reduction of nondiscretionary use by  
5 permitted or contractual users, to the extent further reductions  
6 are necessary, in the reverse order of the following water use  
7 preferences:

8                   (A) municipal, domestic, and livestock;

9                   (B) industrial and crop irrigation;

10                  (C) residential landscape irrigation;

11                  (D) recreational and pleasure; and

12                  (E) other uses that are authorized by law.

13       (b) The board shall adopt measures to ensure that authorized  
14 withdrawals from non-exempt wells are reduced to 350,000 acre-feet,  
15 annualized, if the following conditions are met:

16           (1) for the San Antonio Pool, the level of the aquifer  
17 is less than 627 feet above mean sea level as measured at Well J-  
18 17; or

19           (2) for the Uvalde Pool, the level of the aquifer is  
20 less than 842 feet above mean sea level as measured at Well J-27.

21       (c) The demand management and critical period plan required  
22 to be prepared and implemented by this section shall be adopted by  
23 the board no later than September 1, 2004. In the event this  
24 deadline is not met, irrespective of whether a demand management or  
25 critical period is in effect, the board shall issue an order  
26 temporarily interrupting 20 percent of the amount of water

1 authorized for withdrawal under each regular permit until the board  
2 has adopted the plan.

3 SECTION 10. Section 1.28(b), Chapter 626, Acts of the 73<sup>rd</sup>  
4 Legislature, Regular Session, 1993, is amended to read as follows:

5 (b) The authority may issue revenue bonds for the following  
6 purposes:

7 (1) to finance the purchase of land;

8 (2) for [or] the purchase, construction, or  
9 installation of facilities or equipment, including, but not limited  
10 to, recharge dams, and associated facilities, structures, or works;  
11 or

12 (3) for the purposes set out in Sections 1.21, 1.22(a),  
13 and 1.29(a) of this article to retire permits or applications for  
14 initial regular permits by compensating permittees or applicants to  
15 ensure that the amount of withdrawals from the aquifer pursuant to  
16 regular permits does not exceed the amount set out in Subsection  
17 (b) of Section 1.14 of this article. The Authority may not allow  
18 for any person to construct, acquire, or own facilities for  
19 transporting groundwater out of Uvalde County or Medina County.

20 SECTION 11. Section 1.29, Chapter 626, Acts of the 73<sup>rd</sup>  
21 Legislature, Regular Session, 1993 and Chapter 966, Acts of the 77<sup>th</sup>  
22 Legislature, Regular Session, 2001, is amended to read as follows:

23 (a) The cost of ~~[reducing withdrawals or]~~ permit or  
24 application retirements under Section 1.21 of this article or the  
25 adjusted amount under Subsection (c) of Section 1.14 of this  
26 article for the period ending December 31, 2004, must be borne  
27 solely by users of the aquifer and shall be paid for by aquifer



1 management fees assessed under Subsections (b) and (c) of this  
2 section. [÷]

3 ~~[(1) solely by users of the aquifer for reducing~~  
4 ~~withdrawals from the level on the effective date of this article to~~  
5 ~~450,000 acre-feet a year, or the adjusted amount determined under~~  
6 ~~Subsection (d) of Section 1.14 of this article for the period~~  
7 ~~ending December 31, 2007; and~~

8 ~~(2) equally by aquifer users and downstream water rights~~  
9 ~~holders for permit retirements from 450,000 acre-feet a year, or~~  
10 ~~the adjusted amount determined under Subsection (d) of Section 1.14~~  
11 ~~of this article for the period ending December 31, 2007, to 400,000~~  
12 ~~acre-feet a year, or the adjusted amount determined under~~  
13 ~~Subsection (d) of Section 1.14 of this article, for the period~~  
14 ~~beginning January 1, 2008.]~~

15 (b) The authority shall assess equitable aquifer management  
16 fees based on aquifer use under the water management plan to  
17 finance its administrative expenses and programs authorized under  
18 this article. Aquifer management fees may additionally be used for  
19 the repayment of revenue bonds issued by the authority pursuant to  
20 Section 1.28 of this article. Each water district governed by  
21 Chapter 52, Water Code, that is within the authority's boundaries  
22 may contract with the authority to pay expenses of the authority  
23 through taxes in lieu of user fees to be paid by water users in the  
24 district. The contract must provide that the district will pay an  
25 amount equal to the amount that the water users in the district  
26 would have paid through user fees. The authority may not collect  
27 a total amount of fees and taxes that is more than is reasonably

1 necessary for the administration of the authority.

2 ~~[(c) The authority shall also assess an equitable special fee~~  
3 ~~based on permitted aquifer water rights to be used only to finance~~  
4 ~~the retirement of rights necessary to meet the goals provided by~~  
5 ~~Section 1.21 of this article. The authority shall set the~~  
6 ~~equitable special fees on permitted aquifer users at a level~~  
7 ~~sufficient to match the funds raised from the assessment of~~  
8 ~~equitable special fees on downstream water rights holders.~~

9 ~~(d) The commission shall assess equitable special fees on all~~  
10 ~~downstream water rights holders in the Guadalupe River Basin to be~~  
11 ~~used solely to finance the retirement of aquifer rights necessary~~  
12 ~~to meet the goals provided by Section 1.21 of this article. Fees~~  
13 ~~assessed under this subsection may not exceed one-half of the cost~~  
14 ~~of permit retirements from 450,000 acre-feet a year, or the~~  
15 ~~adjusted amount determined under Subsection (d) of Section 1.14 of~~  
16 ~~this article, for the period ending December 31, 2007, to 400,000~~  
17 ~~acre-feet a year for the period beginning January 1, 2008. The~~  
18 ~~authority shall report to the commission the estimated costs of the~~  
19 ~~retirements. The amount of fees assessed under this subsection~~  
20 ~~shall be determined in accordance with rules adopted by the~~  
21 ~~commission for fees under the South Texas watermaster program with~~  
22 ~~adjustments as necessary to ensure that fees are equitable between~~  
23 ~~users, including priority and nonpriority hydroelectric users. A~~  
24 ~~downstream water rights holder shall pay fees assessed under this~~  
25 ~~subsection to the authority. A fee may not be assessed by the~~  
26 ~~commission under this subsection on contractual deliveries of water~~  
27 ~~stored in Canyon Lake that may be diverted downstream of the San~~

1 ~~Marcos Springs or Canyon Dam. A person or entity making a~~  
2 ~~contractual sale of water stored upstream of Canyon Dam may not~~  
3 ~~establish a systemwide rate that requires purchasers of upstream~~  
4 ~~stored water to pay the special fee assessed under this~~  
5 ~~subsection.]~~

6       (c) ~~[(e)]~~ In developing an equitable fee structure under this  
7 section, the authority may establish different fee rates on a per  
8 acre-foot basis for different types of use. The fees must be  
9 equitable between types of uses. The fee rate for agricultural use  
10 shall be based on the volume of water withdrawn and may not be more  
11 than \$2 per acre-foot. The authority shall assess the fees on the  
12 amount of water a permit holder is authorized to withdraw under the  
13 permit.

14       (d) ~~[(f)]~~ The authority shall impose a permit application fee  
15 not to exceed \$25.

16       (e) ~~[(g)]~~ The authority may impose a registration application  
17 fee not to exceed \$10.

18       ~~[(h) Special fees collected under Subsection (c) or (d) of~~  
19 ~~this section may not be used to finance a surface water supply~~  
20 ~~reservoir project.]~~

21       (f) ~~[(i)]~~ The authority shall provide money as necessary, but  
22 not to exceed five percent of the money collected under Subsection  
23 (b) ~~[(d)]~~ of this section, to finance the South Central Texas Water  
24 Advisory Committee's administrative expenses and programs  
25 authorized under this article.

26       SECTION 12. Chapter 626, Acts of the 73<sup>rd</sup> Legislature,  
27 Regular Session, 1993; as amended by Chapters 261 and 524, Acts of

1 the 74th Legislature, Regular Session, 1995; Chapter 163, Acts of  
2 the 76th Legislature, Regular Session, 1999; and Chapters 966 and  
3 1192, Acts of the 77<sup>th</sup> Legislature, Regular Session, 2001, is  
4 amended to add Section 1.331 as follows:

5 SECTION 1.331 EXEMPTION FOR FEDERAL FACILITIES. A federal  
6 facility that has not waived sovereign immunity with respect to the  
7 permitting requirements of Section 1.15(b) of this article is  
8 exempt from the requirements of this article and any rules  
9 promulgated thereunder.

10 SECTION 13. Sections 1.34(b) and 1.34(c), Chapter 626, Acts  
11 of the 73<sup>rd</sup> Legislature, Regular Session, 1993, are amended to read  
12 as follows:

13 (b) The authority by rule shall ~~[may]~~ establish a  
14 procedure by which a person who has achieved ~~[installs]~~ water  
15 conservation ~~[equipment]~~ may transfer ~~[sell]~~ the ~~[water]~~ conserved  
16 water.

17 (c) A permit holder may transfer a regular ~~[lease]~~ permit,  
18 ~~[permitted water rights, but a holder of a permit for irrigation~~  
19 ~~use may not lease more than 50 percent of the irrigation rights~~  
20 ~~initially permitted. The user's remaining irrigation water rights~~  
21 ~~must be used in accordance with the original permit and must pass~~  
22 ~~with transfer of the irrigated land.]~~ however, with respect to a  
23 regular permit originally issued for irrigation use, up to 50  
24 percent of such a permit may be transferred without restrictions as  
25 to the place or purpose of use, while the remaining 50 percent may  
26 only be transferred:

27 (1) to another place of use within the county in which

1 the place of use under the original permit is located, for  
2 irrigation use;

3 (2) to another place of use within the county in which  
4 the place of use under the original permit is located, for any  
5 purpose of use, but only in the event that all or a portion of the  
6 place of use under the original permit is developed such that it is  
7 no longer capable of being used for irrigation, and only for that  
8 portion of the permit attributable to the non-irrigable land; or

9 (3) in a manner consistent with rules adopted by the  
10 authority for the transfer of conserved water pursuant to  
11 Subsection (b) of this section.

12 SECTION 14. Section 1.45, Chapter 626, Acts of the 73<sup>rd</sup>  
13 Legislature, Regular Session, 1993, is amended to read as follows:

14 (a) The authority may own, finance, design, construct,  
15 [build or] operate, and maintain recharge dams, and associated  
16 facilities, structures, or works, in the contributing or recharge  
17 area of the aquifer if the recharge is made to increase the yield  
18 of the aquifer and the recharge project does not impair senior  
19 water rights or vested riparian rights.

20 SECTION 15. TRANSFER SAVINGS CLAUSE. The provisions of  
21 Section 1.34, as amended by this Act, apply only to transfers  
22 effective on or after the effective date of this Act. The change in  
23 law to Section 1.34 made by this Act does not affect the validity  
24 of transfers effective prior to the effective date of this Act and  
25 such transfers are governed by the Act and the rules of the  
26 Authority in effect at the time the transfer was effective.  
27 Transfers effective prior to the effective date of this Act

1 approved by the Authority and which have not been rescinded or are  
2 not subject to pending litigation are hereby validated.

3 SECTION 16. Chapter 626, Acts of the 73rd Legislature  
4 Regular Session, 1993; as amended by Chapters 261 and 524, Acts of  
5 the 74th Legislature, Regular Session, 1995; Chapter 163, Acts of  
6 the 76th Legislature, Regular Session 1999; and Chapters 966 and  
7 1192, Acts of the 77th Legislature, Regular Session 2001, is  
8 amended to add Section 3.05 as follows:

9 SECTION 3.05. EXEMPTION. Chapter 245, Local Government Code  
10 does not apply within the boundaries of the Edwards Aquifer  
11 Authority.

12 SECTION 17. EFFECTIVE DATE. This Act takes effect  
13 immediately if it receives a vote of two-thirds of all the members  
14 elected to each house, as provided by Section 39, Article III,  
15 Texas Constitution. If this Act does not receive the vote  
16 necessary for immediate effect, this Act takes effect September 1,  
17 2003.

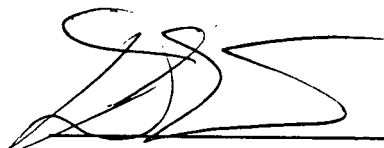
# Affidavit of Publication

THE STATE OF TEXAS  
COUNTY OF CALDWELL

On this the 18th day of March, 2003, personally appeared Dana Garrett, who states that he is Publisher of the Lockhart Post-Register, a newspaper of general circulation, published at Lockhart, in Caldwell County, State of Texas, and upon being duly sworn by me on oath states that the advertisement or legal notice, appearing herewith, is a true and correct copy of same as published in said newspaper on the following dates:

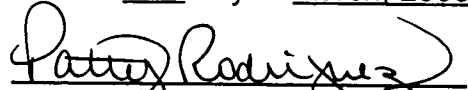
March 13, 2003

Legal Notice - Notice to intent to introduce a bill relating to Edwards Aquifer Authority



Dana Garrett, Publisher

Sworn and subscribed to before me this the 18th day of March, 2003

  
Notary Patty Rodriguez

My commission expires 5-17-2005



12

ICATION  
EXAS

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LEGAL NOTICE

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitles an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

3-13-03

NOTICE TO CONTRACTORS  
OF PROPOSED TEXAS  
HIGHWAY IMPROVEMENT  
CONTRACTS

Sealed proposals for highway improvement contracts will be received by the Texas Department of Transportation (TxDOT) until the date(s) shown below, and then publicly read.

CONSTRUCTION/  
MAINTENANCE  
CONTRACT(S)

District: Austin

Contract 6096-93-001 for INSTALL/REMOVE RAISED PAVEMENT MARKERS in TRAVIS County, etc will be opened on April 01, 2003 at 1:00 pm at the State Office for an estimate of \$467,882.40. All prospective bidders are encouraged to attend the pre-bid conference for Contract 6096-93-001 to be held on March 18, 2003 at 10:00 am at the TxDOT, 7901 N. IH 35, BLDG. 7, AUSTIN, TX 78753.

Plans and specifications are available for inspection, along with bidding proposals, and applications for the TxDOT Prequalified Contractor's list, at the applicable State and/or District Offices listed below. Bidders must submit prequalification information to TxDOT at least 10 days prior to the bid date to be eligible to bid on a project. Prequalification materials may be requested from the State Office listed below. Plans for the above contract(s) are available from TxDOT's website at [www.dot.state.tx.us](http://www.dot.state.tx.us) and from reproduction companies at the expense of the contractor.

NPO: 9260

State Office  
Construction Division  
200 E. Riverside Dr.  
Austin, Texas 78704  
Phone: 512-416-2540

District Office(s)  
Austin District  
District Engineer  
7901 N IH35  
Austin, Texas 78761-5426

EXCEPT A 1.0 ACRE TRACT DESCRIBED IN VOLUME 449, PAGE 279, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$87,340.00, and an Estimated minimum opening bid of \$3,933.00;

Suit No. 6542, Account No(s). R25826, CALDWELL COUNTY APPRAISAL DISTRICT VS. MAYME L. WILSON, A/K/A MAYME LAMPKIN WILSON, ET AL, Real Estate described as: NORTH ADDITION TO THE CITY OF LULING, BEING MORE PARTICULARLY DESCRIBED IN DEED DATED SEPTEMBER 8, 1986 FROM RAYMOND KELLY, ET AL TO MAYME L. WILSON, RECORDED IN VOLUME 511, PAGE 66, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$68,120.00, and an Estimated minimum opening bid of \$18,590.00;

Suit No. 6584, Account No(s). R14932, CALDWELL COUNTY APPRAISAL DISTRICT VS. AZENIA ELLISON, ET AL, Real Estate described as: 2.5 ACRES, MORE OR LESS, OUT OF THE WISTAR EVANS SURVEY, AS DESCRIBED IN VOLUME 441, PAGE 539, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$8,920.00, and an Estimated minimum opening bid of \$4,969.00;

Suit No. 6672, Account No(s). R16537, CALDWELL COUNTY APPRAISAL DISTRICT VS. ALVIN J. HELMERS, ET AL, Real Estate described as: 0.767 ACRE, MORE OR LESS, OUT OF LOT 3, BLOCK 2, OAK TRAILS SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED IN DEED DATED JULY 2, 1978, FROM J.L. HOWZE TO ALVIN T. HELMERS, RECORDED IN VOLUME 397, PAGE 427, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$30,870.00, and an Estimated minimum opening bid of \$7,069.00;

Suit No. 6707, Account No(s). R25714, CALDWELL COUNTY APPRAISAL DISTRICT VS. THELMA SYRELL, A/K/A THELMA SYRELL BURSE, Real Estate described as: LOT 22, BLOCK 3, BRIDGE'S ADDITION, CITY OF LULING, CALD-

WELL COUNTY AND CITY OF MARTINDALE VS. EDVIN A. ROHLACK, Real Estate described as: TRACT 1: 0.813 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT 21, CITY OF MARTINDALE, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 462, PAGE 356, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$164,810.00, and an Estimated minimum opening bid of \$4,717.00;

Suit No. 6094, Account No(s). 20-0021-1085-00000-3, R27896, SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, CALDWELL COUNTY AND CITY OF MARTINDALE VS. EDVIN A. ROHLACK, Real Estate described as: TRACT 2: 1.90 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT 21, CITY OF MARTINDALE, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 50, PAGE 678, DEED RECORDS OF CALDWELL COUNTY, TEXAS, SAVE AND EXCEPT THAT RIGHT OF WAY EASEMENT CONVEYED TO CALDWELL COUNTY, OF RECORD IN VOLUME 228, PAGE 205, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$77,800.00, and an Estimated minimum opening bid of \$2,583.00;

(any volume and page references, unless otherwise indicated, being to the Deed Records, Caldwell County, Texas, to which instruments reference may be made for a more complete description of each respective tract.) or, upon the written request of said defendants or their attorney, a sufficient portion of the property described above shall be sold to satisfy said judgment(s), interest, penalties, and cost; and any property sold shall be subject to the right of redemption of the defendants or any person having an interest therein, to redeem the said property, or their interest therein, within the time and in the manner provided by law, and shall be

13



# AFFIDAVIT OF PUBLICATION


STATE OF TEXAS

COUNTY OF BEXAR

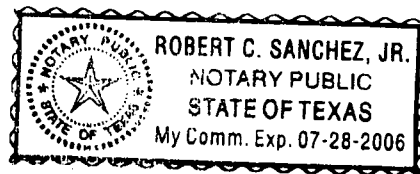
Before me, a Notary Public in and for Bexar County,  
this day personally appeared Tino Duran (Title) Publisher of  
La Prensa De San Antonio who being duly sworn by oath, stated that  
the attached LEGAL NOTICE – INTENT TO INTRODUCE IN THE 78<sup>TH</sup>  
TEXAS LEGISLATURE ran in  
La Prensa Spanish Language Newspaper on MARCH 16, 2003

  
Signature

SWORN TO AND SUBSCRIBED BEFORE ME THE 16TH DAY OF  
MARCH 2003.

  
Notary Public

My Commission expires: July 28, 2006



# Supplies finishing Products



**BRITE**  
Leading Manufacturer Of  
Positive Reconditioning  
Products • Dressing • Soaps • Cleaners  
& Dyes  
**767-9559**

**LEGAL NOTICE**  
Application has been made with the Texas  
Alcoholic Beverage Commission for a **GENERAL CLASS B**  
**WHOLESALE'S PERMIT** by **CHILOE WHOLESALE, L.L.C.**  
to be located at **4845 GOLDFIELD ROAD, SUITE 115,**  
**SAN ANTONIO, TEXAS 78218.** Owners are:  
**Melissa Talavera Espino, Manager/Member**  
**Ruben S. Corvalan, Manager/Member**  
**Felipe Benavente, Member**

**LEGAL NOTICE**  
This is to give notice of intent to introduce in the 78th  
Texas Legislature, Regular Session, a bill to be entitled  
an Act relating to the administration, powers, and duties  
of the Edwards Aquifer Authority, including the qualifica-  
tions of the board of directors, and the issuance of bonds.  
  
Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

**AVISO PÚBLICO OFICIAL**  
Condado de Bexar, Texas  
  
Dirigir propuestas selladas acerca de IFB 2003-115 para  
Finger Printing Equipment a Charles Eads, C.P.M., Agente  
de Compras del condado de Bexar, Vista Verde Plaza,  
233 N. Pecos, Suite 320, San Antonio, Texas 78207. Las  
propuestas serán aceptadas hasta las 10:00 A.M. en  
punto, Hora Central, el 28 de marzo, 2003. Copias de las  
Especificaciones se pueden obtener o revisar en el  
Departamento de Compras, Vista Verde Plaza, 233 N.  
Pecos, Suite 320 (tercer piso), San Antonio, Texas 78207  
sin costo alguno. El licitante deberá utilizar precio por  
unidad. El Condado de Bexar hará pago por medio de  
cheque. Las fianzas de Propuesta y de Ejecución no son  
requeridas.  
[www.bexar.org](http://www.bexar.org)  
  
CHARLES EADS, C.P.M.  
Agente de Compras del Condado

**WESTERN UNION 242-7900**

3/16/03



**La S**  
idades han venido contribuyendo en  
el éxito de su debut como sucural de  
los Panteras de la Florida.  
Rampage, tiene seis compromisos  
más de forma consecutiva en el SBC  
Center dentro del rol regular de la AHL  
y cerrarán con bronche de oro, vis-  
itando a los Aeros de Houston y Chi-  
cago Wolves por partida doble, el miér-



# nador del Rampage Scott Allen debi

Sebastián Abreu habló a nombre de  
ca, conquistando tres campeonatos  
de fútbol azteca.  
Si logra levantar al Cruz Azul de  
colos, diciendo que bajo ninguna  
sus compañeros este pasado miér-

Enrique Meza. (Notimex)

THE STATE OF TEXAS }  
County of Hays: }

Before me, the undersigned, holding the office of Notary Public in and

for Hays County, Texas, personally appeared Mike Mueck,  
who states under oath that he is the publisher of the San Marcos Daily Record, a newspaper which has been  
regularly and continuously published in San Marcos, Hays County, Texas, for a period of more than one  
year immediately preceding the date of publication of this notice and that the Notice by Publication hereto

attached was published in the regular edition of said newspaper for a period of \_\_\_\_\_

One day

on the following dates

March 16, 2003, \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_\_, a printed clipping of said notice being hereto attached.

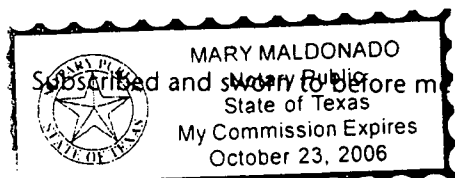
The said publisher further states that the rate charged for this publication is the lowest rate charged  
commercial advertisers for the same class of advertising for a like amount of space.

(Signed) Mike Mueck  
Publisher

18

day of March, 2003

Mary Maldonado



Marcos, City Hall Council Chambers, 630 E. Hop-  
kins, San Marcos, Texas 78666. Award is sched-  
uled for the April 28, 2003 City Council meeting at  
7:00pm or any subsequent time thereafter.

IT IS UNDERSTOOD that the City of San Marcos  
reserves the right to reject any and/or all bids as it  
shall deem to be in the best interest of the City.

For any questions contact Cheryl Pantermuehl,  
CPPB, Purchasing Manager at 512-393-8170 or at  
cosmpurchasing@ci.san-marcos.tx.us

040 Public Notices

040 Public Notices

LEGAL NOTICE 3-16-03

This is to give notice of intent to introduce in the  
78th Texas Legislature, Regular Session, a bill to  
be entitled an Act relating to the administration,  
powers, and duties of the Edwards Aquifer Author-  
ity, including the qualifications of the board of di-  
rectors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

040 Public Notices

040 Public Notices

EDWARDS AQUIFER AUTHORITY REQUEST  
FOR PROPOSALS FOR TRACER TESTING,  
STORMWATER MONITORING, AND WATER  
SAMPLING

The Edwards Aquifer Authority invites qualified  
firms to submit sealed proposals for

\$4550. Financing avail-  
able. 392-8555

1998 CHEVY Camaro  
Z28, 2 dr. conv., 5.7li  
engine, gold paint, exc.  
cond. Adult owned. 12  
disc CD, 35Kmi, \$15K.  
738-1536

2000 MITSUBISHI  
Eclipse GS Red/tan,  
4cyl/5-speed, fog lights,  
alloys, spoiler, moon-  
roof, leather, cd, power  
equip, tint, 30K, very  
clean, only \$13995, J.P.  
Green

2001 CHEVROLET  
Cavalier White/gray, 4-  
dr, automatic, 35K miles  
cold a/c, nice car,  
\$8295, J.P. Green 512-  
805-6209

2001 CHEVROLET  
CAVALIER. White/gray,  
4dr, automatic, 35k  
miles, cold a/c, nice car.  
\$8295. J.P. Green, 805-  
6209.

2001 FORD MUSTANG  
CONVERTIBLE.  
Red/tan/tan, V6/auto, al-  
loys, cd/cass., power  
equip, abs, leather,  
cruise, remote, 42k,  
NICE, \$15,695. J.P.  
Green, 805-6209.

2001 JEEP Wrangler

Apply in person  
3946 IH-35 S. • Exit  
Across from the Prime C  
Mon.-Thurs. 11-6:45 • Fri.  
Sat. 10-8:45 • Sun. 11



Got  
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Call 392-245  
and ask Mary or I  
about line ad  
or Julie abou  
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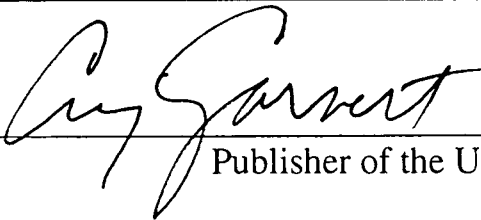
16

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS }  
COUNTY OF UVALDE)

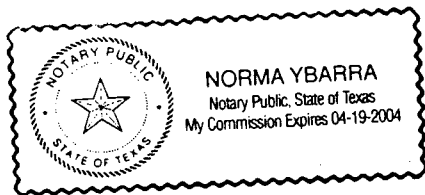
Before me, the undersigned authority, on this day personally appeared Craig Garnett, known to me, who being by me duly sworn on oath deposes and says that he is the Publisher of *The Uvalde Leader-News*, a newspaper of general circulation published in the county of Uvalde, Texas at least two days a week, and that the attached is a true and correct copy of notice which was published in said newspaper on the following dates:

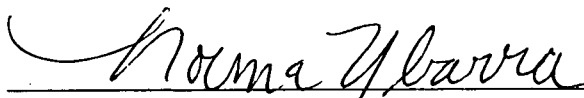
March 13, 2003



Publisher of the Uvalde Leader-News

Subscribed and sworn to before me this the 18th day of March 2003.





Notary Public, Uvalde County, Texas

**LEGAL NOTICE**

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas

78215  
210-222-2204 or  
1-800-292-1047

THE NEW BRAUNFELS HERALD-ZEITUNG  
NEW BRAUNFELS, TEXAS

NEW BRAUNFELS HERALD-ZEITUNG

EDWARDS AQUIFER AUTHORITY  
1615 N ST MARY'S ST  
SAN ANTONIO TX 78215-1415

REFERENCE: 12512250  
561790 INV 4043/LEGAL NOTIC

STATE OF TEXAS  
COUNTY OF COMAL

Before me, the undersigned authority, on this day,  
personally appeared, Heather Grant, who being duly  
sworn, deposes and says that she is the business  
manager of the New Braunfels Herald-Zeitung: that  
said newspaper is regularly published in Comal  
County and generally circulated in Comal,  
Guadalupe, Hays, and Bexar counties, Texas: that  
the attached notice was published on the following  
date.

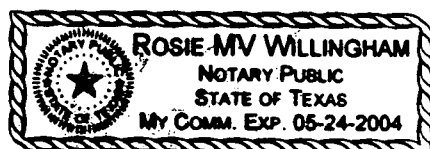
*Heather Grant*

Heather Grant--Business Manager

PUBLISHED ON: 03/13

FILED ON: 03/14/03

Subscribed and sworn before me this 14th of March  
2003 A.D.



*Rosie MV Willingham*  
Notary Public

**110** Legal Notices

**LEGAL NOTICE**

This is to give notice of  
intent to introduce in  
the 78th Texas  
Legislature, Regular  
Session, a bill to be  
entitled an Act relating  
to the administration,  
powers, and duties of  
the Edwards Aquifer  
Authority, including the  
qualifications of the  
board of directors, and  
the issuance of bonds.

19

# Hondo Anvil Herald

P.O. Box 400, Hondo, Texas 78861

## PUBLISHER'S AFFIDAVIT

The State of Texas)  
County of Medina)

Before me, the undersigned authority,  
on this day did personally appear Frances  
Guinn, a person known to me, who on her  
oath stated:

That she is the Editor of the Hondo An-  
vil Herald, a newspaper published in Me-  
dina County, Texas, and which newspa-  
per is of general circulation and has been  
published for more than twelve (12)  
months prior to the insertion of the at-  
tached notice, and

That she knows the facts stated in this  
affidavit.

That the attached printed matter is a true  
and correct copy of the publication of the  
notice of which it purposes to be a true  
copy, as the same appeared in such news-  
paper in the respective issues of:

Mar 13, 03

and That the charge of such newspaper  
being \$ 7.00

Frances Guinn  
Frances Guinn, Editor

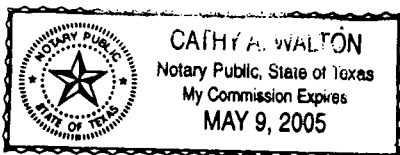
Subscribed and sworn to before me on  
this the 18 day of

March, 2003  
Cathy A. Walton  
Notary Public  
Medina County, Texas

### LEGAL NOTICE

This is to give notice of intent to in-  
troduce in the 78th Texas Legislature,  
Regular Session, a bill to be entitled  
as an Act relating to the administra-  
tion, powers, and duties of the  
Edwards Aquifer Authority, including  
the qualifications of the board of di-  
rectors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047  
Pub.: Mar. 13, 2003



20

STATE OF TEXAS )

BEXAR COUNTY )

BEFORE ME, the undersigned authority;

personally appeared

Urai Chokedee

to me personally known to be the

Bookkeeper

of THE HEARST CORPORATION (SAN ANTONIO EXPRESS-NEWS DIVISION), DAILY NEWSPAPERS

published in the City of San Antonio, in the county and state aforesaid, and being by me first duly sworn,

disposes and says that the advertisement of

Acct#092352002

Ad#15830

Edwards Aquifer Authority

**LEGAL NOTICE**

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

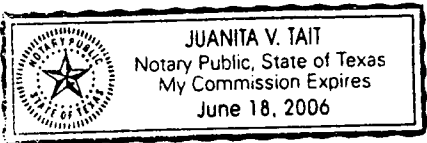
Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or  
1-800-292-1047

appeared in all editions of said newspaper on the following dates:

3/13/2003

Urai Chokedee

Subscribed and sworn to this 18th day of March 2003



Juanita V. Tait  
Notary Public, State of Texas

My commission Expires 6-18-2006

21



# PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS,

County of Guadalupe

Before me, the undersigned authority, on this date personally appeared  
Tommy Crow, known to me, who, being by me duly  
sworn, on his oath deposes and says that he is the Publisher of The Seguin Gazette-  
Enterprise, a newspaper of general circulation, published in said county; that a copy of  
the within and foregoing notice was published in said newspaper 1 time(s) before  
the return day named therein, such publications being on the following dates:

March 13, 2003  
\_\_\_\_\_  
\_\_\_\_\_

and a newspaper copy of which is hereto attached.

[Signature]

Sworn to and subscribed before me this 18<sup>th</sup> day of  
March, A.D., 2003.

[Signature]



Notary Public, Guadalupe County, Texas

22

# CLASS

To Place, Cancel or Correct Your  
Fax Your Ad to 379-8328 Office Hours: Monday - Friday, 8

## ANNOUNCEMENTS

100 - 150

100 Garage & Yard Sale  
102 Auctions  
103 Estate Sales  
110 Legal Notices  
120 Notices  
130 Lost & Found  
140 Personals  
150 Card of Thanks

## PETS & LIVESTOCK

210 - 250

210 Dogs, Cats &  
Misc. Pets  
220 Pet Supplies  
230 Livestock &  
Supplies  
240 Breeding &  
Training  
250 Farm Equipment

## EMPLOYMENT

310 - 360

310 Business  
Opportunities  
315 Accounting &  
Bookkeeping  
320 Secretarial &  
Clerical  
325 Medical & Dental  
330 Professional &  
Business  
335 Retail & Sales

340 Restaurants &  
Clubs  
345 Skills & Trades  
350 Domestic  
355 Full Time &  
Part Time  
360 Jobs Needed

## RENTALS

405 - 480

410 Apartments  
420 Mobile Homes  
430 Waterfront

The Service Index Is Published Daily  
In the Business & Service Directory.

## ANNOUNCEMENTS

100 Garage Sales &  
Yard Sales

1431 SIXTH ST.  
Fri. 9-2 Clothes, jewel-  
ry, music, misc.

230  
PATTON DR.  
Fri. 3/14, 9-?  
Lots of misc. items.

2648 BLUMBERG  
PARK RD.  
(access Rd 1-10 at FM  
464) Sat & Sun, 9-5.

445 SMITH FALOR RD  
Take 467 to Sweet  
Home follow signs. Sat.  
9-12. Many misc items

6652 FM 725  
1 mile from Pic & Pac in  
McQueeney. Thurs. Fri.  
& Sat. 8-? 3 Fam.  
sale. Many misc items.

704 BISMARCK  
Sat. 9-? Multi-Fam  
sale, clothing all sizes,  
maternity, baby items,  
furn & lots more!

944 ZARAGOZA  
Fri. 9-3 Sat. 9-3 March  
14 & 15 sofa, baby bed  
mattress, rain or shine

283 MEADOW LAKE  
936-8222  
830-3372  
dep/000CS

100 Garage Sales &  
Yard Sales

126 RIO GRANDE DR.  
And Colorado in Park-  
view Estates. Fri. 2-6  
& Sat. 8-2, Misc. items.

ESTATE SALE  
4753 Gln Rd. off I-10  
West. March 15, 8-5.  
Greatly reduced! Exit  
#597 Santa Clara Rd.  
S., right @ Gln rd. fol-  
low signs.

140 OLDTOWNE  
Sat. 3/15/03 9-1 Full  
size bed, Sectional so-  
fa, kitchen table & 4  
chairs, doors, windows,  
dishwasher. Too much  
too mention. Don't miss  
it! Call 379-2067 after  
5:00 pm.

KINGSBURY SCHOOL  
Rifle, meat scale, furn.,  
clothes, Coca Cola  
sign, doors, hay rake,  
books. Fri. & Sat. 9-?

110 Legal Notices

NOTICE OF SALE  
STOR-MOR MINI  
STORAGE

110 Legal Notices

## LEGAL NOTICE

This is to give notice of  
intent to introduce in  
the 78th Texas Legisla-  
ture, Regular Session  
a bill to be entitled an  
Act relating to the ad-  
ministration, powers,  
and duties of the Ed-  
wards Aquifer Authority,  
including the qualifica-  
tions of the board of di-  
rectors, and the issu-  
ance of bonds.

Edwards Aquifer  
Authority  
1615 N. St. Mary's  
Street  
San Antonio, Texas  
78215  
210-222-2204 or 1-800-  
292-1047

## NOTICE TO BIDDERS

Seguin Independent  
School District is ac-  
cepting sealed propos-  
als at 1221 E. Kings-  
bury, Seguin, TX 78155  
for the following:

130 Lost & Found

## LOST CAT

Part Siamese, white w/  
light brown markings.  
Country Club area.  
Heartbroken children.  
(210)559-3826.

FOUND BEAGLE  
Off Schneider Rd. Red &  
white, un-neutered male.  
Local 830-743-3035.

## FOUND

Small male terrier look-  
ing dog. White & tan  
w/curly tail, freindly call  
372-3575

## 2 PUPPIES

Found. Free to a good  
home. Come by and  
see them. 830-560-  
1377

## \*\*CLASSIFIEDS\*\*

PETS & LIVESTOCK  
210 - 250

210 Dogs, Cats &  
Misc. Pets

## ADULT DOGS

Seek love and  
good living home

250

## JOH

Model  
w/shreddi  
76 hours  
379-4568.

NEED I  
Before plac  
379-5441,

## EMPL

310

320

## FULI

CL  
Are you fr  
team play  
willing to  
tional Cus  
ice? Luling  
Health Cer  
immediate  
a full-time  
be professi  
tual and a  
One-year m  
experience.  
working e  
hours, per  
competitive

# Publishers Affidavit

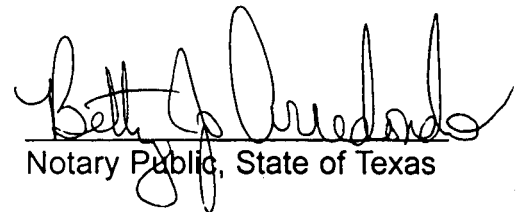
I solemnly swear the enclosed notice was published in the Leader News, a newspaper published in Lytle, County of Atascosa, Texas and of general circulation in Atascosa, Medina and Bexar counties, as provided in the Texas Probate Code for the service of citation or notice by publication.

The date(s) said notice was published was March 13, 2003. A copy of the notice published, clipped from the newspaper, is enclosed hereto.

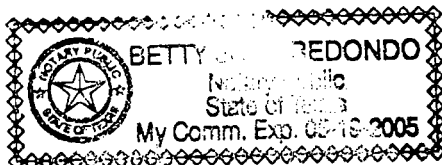


Reagon Clamon  
Publisher

Subscribed and sworn to before me, this 18<sup>th</sup> day of March, 2003, to certify which witness my hand and seal of office.



Notary Public, State of Texas



Seal:

# fyeds

Leader News  
March 13, 2003  
Page 13

**BUSINESS: \$6 for the first 10 words 20\$ thereafter • Deadline Tuesday 10 am**

## Homes For Sale



new 16x80 with delivery, A/C,  
irting and hookups included!  
ow \$159 bi-weekly, 9 year  
yout. 10% Dn, 10% APR,  
AC. 210-654-1081.

Bank Repos ready for move in.  
E. Area, EZ Qualify. 1-800-  
0-0244.

enters Wanted! 3/2 ready for  
ove-in Convienient location.  
ill now! 1-800-230-1734 ask  
r Christopher.

or sale by owner. Singlewide  
land in N.W. San Antonio,  
lly improved. Large trees. 210-  
4-4551.

## PUBLIC NOTICES

The Natalia ISD Administration Office and Tax Office will be closed Monday, March 10 through Friday, March 14, 2003 for Spring Break. The March Board of Trustees meeting will be held Monday, March 17, 2003 at 7:00 p.m. in the District Conferences Center in the Natalia Junior High School.

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

**Place your free ad today!**  
**Just call**  
**(830) 709-3515**



6075 WT Montgomery Rd. San Antonio TX 78252

## REPO LIQUIDATION CENTER

98	FW FESTIVAL	4/2	16X56	14,500
99	FW-FESTIVAL	2/1	16X56	14,900
96	TOWN & COUNTRY	3/2	16X76	16,900
98	FW-CORONADA	3/2	16X76	18,900
95	CAVALIER	3/2	16X76	17,000
98	FW-FESTIVAL		16X76	17,500
94	GUERDON	3/2	16X76	12,500
97	FLEETWOOD	3/2	28X56	26,500
99	CRESTRIDGE	3/2	28X60	24,500
96	SCHULT	3/2	16X80	750
97	MELODY	3/2	14X60	2,500

**DON'T DELAY  
SUBSCRIBE  
TODAY!**

P.O. Box 148  
Lytle, TX  
78052  
(830) 709-3515

25

# Affidavit of Publication

THE STATE OF TEXAS  
COUNTY OF CALDWELL

On this the 18th day of March, 2003, personally appeared Dana Garrett, who states that he is Publisher of the Lockhart Post-Register, a newspaper of general circulation, published at Lockhart, in Caldwell County, State of Texas, and upon being duly sworn by me on oath states that the advertisement or legal notice, appearing herewith, is a true and correct copy of same as published in said newspaper on the following dates:

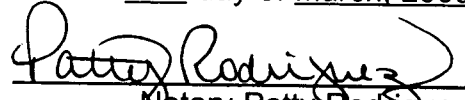
March 13, 2003

Legal Notice - Notice to intent to introduce a bill relating to Edwards Aquifer Authority

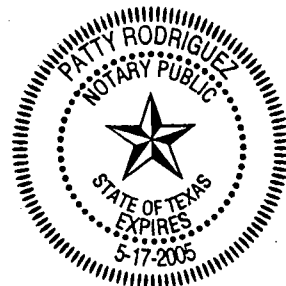


Dana Garrett, Publisher

Sworn and subscribed to before me this the 18th day of March, 2003

  
Notary Patty Rodriguez

My commission expires 5-17-2005



## LEGAL NOTICE

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

3-13-03

## NOTICE TO CONTRACTORS OF PROPOSED TEXAS HIGHWAY IMPROVEMENT CONTRACTS

Sealed proposals for highway improvement contracts will be received by the Texas Department of Transportation (TxDOT) until the date(s) shown below, and then publicly read:

### CONSTRUCTION/ MAINTENANCE CONTRACT(S)

District: Austin

Contract 6096-93-001 for INSTALL/REMOVE RAISED PAVEMENT MARKERS in TRAVIS County, etc will be opened on April 01, 2003 at 1:00 pm at the State Office for an estimate of \$467,882.40. All prospective bidders are encouraged to attend the pre-bid conference for Contract 6096-93-001 to be held on March 18, 2003 at 10:00 am at the TxDOT, 7901 N. IH 35, BLDG. 7, AUSTIN, TX 78753.

Plans and specifications are available for inspection, along with bidding proposals, and applications for the TxDOT Prequalified Contractor's list, at the applicable State and/or District Offices listed below. Bidders must submit prequalification information to TxDOT at least 10 days prior to the bid date to be eligible to bid on a project. Prequalification materials may be requested from the State Office listed below. Plans for the above contract(s) are available from TxDOT's website at [www.dot.state.tx.us](http://www.dot.state.tx.us) and from reproduction companies at the expense of the contractor.

NPO: 9260

State Office

Construction Division  
200 E. Riverside Dr.  
Austin, Texas 78704  
Phone: 512-416-2540

District Office(s)  
Austin District

District Engineer  
7901 N IH35  
Austin, Texas 78761-5426

EXCEPT A 1.0 ACRE TRACT DESCRIBED IN VOLUME 449, PAGE 279, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$87,340.00, and an Estimated minimum opening bid of \$3,933.00;

**Suit No. 6542**, Account No(s). R25826, CALDWELL COUNTY APPRAISAL DISTRICT VS. MAYME L. WILSON, A/K/A MAYME LAMPKIN WILSON, ET AL, Real Estate described as: NORTH ADDITION TO THE CITY OF LULING, BEING MORE PARTICULARLY DESCRIBED IN DEED DATED SEPTEMBER 8, 1986 FROM RAYMOND KELLY, ET AL TO MAYME L. WILSON, RECORDED IN VOLUME 511, PAGE 66, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$68,120.00, and an Estimated minimum opening bid of \$18,590.00;

**Suit No. 6584**, Account No(s). R14932, CALDWELL COUNTY APPRAISAL DISTRICT VS. AZENIA ELLISON, ET AL, Real Estate described as: 2.5 ACRES, MORE OR LESS, OUT OF THE WISTAR EVANS SURVEY, AS DESCRIBED IN VOLUME 441, PAGE 539, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$8,920.00, and an Estimated minimum opening bid of \$4,969.00;

**Suit No. 6672**, Account No(s). R16537, CALDWELL COUNTY APPRAISAL DISTRICT VS. ALVIN J. HELMERS, ET AL, Real Estate described as: 0.767 ACRE, MORE OR LESS, OUT OF LOT 3, BLOCK 2, OAK TRAILS SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED IN DEED DATED JULY 2, 1978, FROM J.L. HOWZE TO ALVIN T. HELMERS, RECORDED IN VOLUME 397, PAGE 427, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$30,870.00, and an Estimated minimum opening bid of \$7,069.00;

**Suit No. 6707**, Account No(s). R25714, CALDWELL COUNTY APPRAISAL DISTRICT VS. THELMA SYRELL, A/K/A THELMA SYRELL BURSE, Real Estate described as: LOT 22, BLOCK 3, BRIDGE'S ADDITION, CITY OF LULING, CALD-

WELL COUNTY AND CITY OF MARTINDALE VS. EDVIN A. ROHLACK, Real Estate described as: TRACT 1: 0.813 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT 21, CITY OF MARTINDALE, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 462, PAGE 356, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$164,810.00, and an Estimated minimum opening bid of \$4,717.00;

**Suit No. 6094**, Account No(s). 20-0021-1085-00000-3, R27896, SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, CALDWELL COUNTY AND CITY OF MARTINDALE VS. EDVIN A. ROHLACK, Real Estate described as: TRACT 2: 1.90 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT 21, CITY OF MARTINDALE, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 50, PAGE 678, DEED RECORDS OF CALDWELL COUNTY, TEXAS, SAVE AND EXCEPT THAT RIGHT OF WAY EASEMENT CONVEYED TO CALDWELL COUNTY, OF RECORD IN VOLUME 228, PAGE 205, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$77,800.00, and an Estimated minimum opening bid of \$2,583.00;

(any volume and page references, unless otherwise indicated, being to the Deed Records, Caldwell County, Texas, to which instruments reference may be made for a more complete description of each respective tract.) or, upon the written request of said defendants or their attorney, a sufficient portion of the property described above shall be sold to satisfy said judgment(s), interest, penalties, and cost; and any property sold shall be subject to the right of redemption of the defendants or any person having an interest therein, to redeem the said property, or their interest therein, within the time and in the manner provided by law, and shall be

# AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF BEXAR

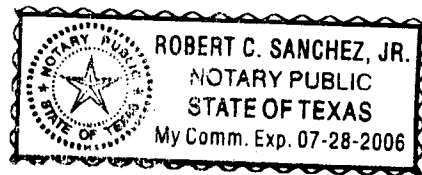
Before me, a Notary Public in and for Bexar County,  
this day personally appeared Tino Duran (Title) Publisher of  
La Prensa De San Antonio who being duly sworn by oath, stated that  
the attached LEGAL NOTICE – INTENT TO INTRODUCE IN THE 78<sup>TH</sup>  
TEXAS LEGISLATURE ran in  
La Prensa Spanish Language Newspaper on MARCH 16, 2003

  
Signature

SWORN TO AND SUBSCRIBED BEFORE ME THE 16TH DAY OF  
MARCH 2003.

  
Notary Public

My Commission expires: July 28, 2006



## Supplies finishing Products



**BRITE**  
Leading Manufacturer Of  
Positive Reconditioning  
Products • Dressing • Soaps • Cleaners  
& Dyes  
**767-9559**

### LEGAL NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a **GENERAL CLASS B WHOLESALER'S PERMIT** by **CHILOE WHOLESALE, L.L.C.** to be located at **4845 GOLDFIELD ROAD, SUITE 115, SAN ANTONIO, TEXAS 78218**. Owners are: **Melissa Talavera Espino, Manager/Member** **Ruben S. Corvalan, Manager/Member** **Felipe Benavente, Member**

### LEGAL NOTICE

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

### AVISO PÚBLICO OFICIAL

Condado de Bexar, Texas

Dirigir propuestas selladas acerca de IFB 2003-115 para Finger Printing Equipment a Charles Eads, C.P.M., Agente de Compras del condado de Bexar, Vista Verde Plaza, 233 N. Pecos, Suite 320, San Antonio, Texas 78207. Las propuestas serán aceptadas hasta las 10:00 A.M. en punto, Hora Central, el 28 de marzo, 2003. Copias de las Especificaciones se pueden obtener o revisar en el Departamento de Compras, Vista Verde Plaza, 233 N. Pecos, Suite 320 (tercer piso), San Antonio, Texas 78207 sin costo alguno. El licitante deberá utilizar precio por unidad. El Condado de Bexar hará pago por medio de cheque. Las fianzas de Propuesta y de Ejecución no son requeridas.

[www.bexar.org](http://www.bexar.org)

CHARLES EADS, C.P.M.  
Agente de Compras del Condado

**WESTERN UNION 242-7900**

3/16/03



idades han venido contribuyendo en el éxito de su debut como sucural de los Panteras de la Florida. Rampage, tiene sets compromisos más de forma consecutiva en el SBC Center dentro del rol regular de la AHL y cerrarán con bronche de oro, visitando a los Aeros de Houston y Chicago Wolves por partida doble, el miércoles 6 de abril.



# nador del Rampage Scott Allen debi

Sebastián Abreu habló a nombre de los Leones de Fajardo, equipo que bajo ninguna circunstancia podría competir con los Diablos Rojos de Toluca, conquistando tres campeonatos de fútbol a lo largo de su carrera. Si logra levantar al Cruz Azul de campeón.

Enrique Meza. (Notimex)



THE STATE OF TEXAS }  
County of Hays: }

Before me, the undersigned, holding the office of \_\_\_\_\_ in and

Notary Public

for Hays County, Texas, personally appeared Mike Mueck,  
who states under oath that he is the publisher of the San Marcos Daily Record, a newspaper which has been  
regularly and continuously published in San Marcos, Hays County, Texas, for a period of more than one  
year immediately preceding the date of publication of this notice and that the Notice by Publication hereto

attached was published in the regular edition of said newspaper for a period of \_\_\_\_\_

One day

on the following dates

March 16, 2003, \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_\_, a printed clipping of said notice being hereto attached.

The said publisher further states that the rate charged for this publication is the lowest rate charged  
commercial advertisers for the same class of advertising for a like amount of space.

(Signed) Mike Mueck  
Publisher

MARY MALDONADO  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
State of Texas  
My Commission Expires  
October 23, 2006

18 day of March, 2003

Mary Maldonado

Marcos, City Hall Council Chambers, 630 E. Hop-  
kins, San Marcos, Texas 78666. Award is sched-  
uled for the April 28, 2003 City Council meeting at  
7:00pm or any subsequent time thereafter.

IT IS UNDERSTOOD that the City of San Marcos  
reserves the right to reject any and/or all bids as it  
shall deem to be in the best interest of the City.

For any questions contact Cheryl Pantermuehl,  
CPPB, Purchasing Manager at 512-393-8170 or at  
cosmpurchasing@ci.san-marcos.tx.us

040 Public Notices

040 Public Notices

LEGAL NOTICE 3-16-03

This is to give notice of intent to introduce in the  
78th Texas Legislature, Regular Session, a bill to  
be entitled an Act relating to the administration,  
powers, and duties of the Edwards Aquifer Author-  
ity, including the qualifications of the board of di-  
rectors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

040 Public Notices

040 Public Notices

EDWARDS AQUIFER AUTHORITY REQUEST  
FOR PROPOSALS FOR TRACER TESTING,  
STORMWATER MONITORING, AND WATER  
SAMPLING

The Edwards Aquifer Authority invites qualified  
firms to submit sealed proposals for

\$4550. Financing avail-  
able. 392-8555

1998 CHEVY Camaro  
Z28, 2 dr. conv., 5.7li  
engine, gold paint, exc.  
cond. Adult owned. 12  
disc CD, 35Kmi, \$15K.  
738-1536

2000 MITSUBISHI  
Eclipse GS Red/tan,  
4cyl/5-speed, fog lights,  
alloys, spoiler, moon-  
roof, leather, cd, power  
equip, tint, 30K, very  
clean, only \$13995, J.P.  
Green

2001 CHEVROLET  
Cavalier White/gray, 4-  
dr, automatic, 35K miles  
cold a/c, nice car,  
\$8295, J.P. Green 512-  
805-6209

2001 CHEVROLET  
CAVALIER. White/gray,  
4dr, automatic, 35k  
miles, cold a/c, nice car.  
\$8295. J.P. Green, 805-  
6209

2001 FORD MUSTANG  
CONVERTIBLE.  
Red/tan/tan, V6/auto, al-  
loys, cd/cass., power  
equip, abs, leather,  
cruise, remote, 42k,  
NICE, \$15,695. J.P.  
Green, 805-6209.

2001 JEEP Wrangler

Apply in person  
3946 IH-35 S. • Exit  
Across from the Prime C  
Mon.-Thurs. 11-6:45 • Fri.  
Sat. 10-8:45 • Sun. 11



Got  
quest  
abo  
placi  
classi  
ad

Call 392-245  
and ask Mary or I  
about line ad  
or Julie about  
classified display  
(classified ad  
with a border

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS }  
COUNTY OF UVALDE)

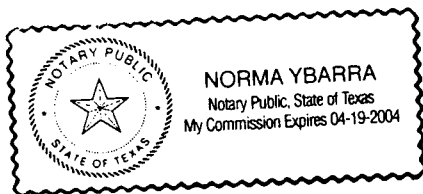
Before me, the undersigned authority, on this day personally appeared Craig Garnett, known to me, who being by me duly sworn on oath deposes and says that he is the Publisher of *The Uvalde Leader-News*, a newspaper of general circulation published in the county of Uvalde, Texas at least two days a week, and that the attached is a true and correct copy of notice which was published in said newspaper on the following dates:

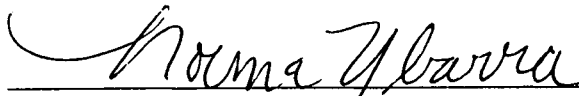
March 13, 2003



Publisher of the Uvalde Leader-News

Subscribed and sworn to before me this the 18th day of March 2003.





Notary Public, Uvalde County, Texas

**LEGAL NOTICE**

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas

78215  
210-222-2204 or  
1-800-292-1047

THE NEW BRAUNFELS HERALD-ZEITUNG  
NEW BRAUNFELS, TEXAS

NEW BRAUNFELS HERALD-ZEITUNG

EDWARDS AQUIFER AUTHORITY  
1615 N ST MARY'S St  
SAN ANTONIO TX 78215-1415

REFERENCE: 12512250  
561790 INV 4043/LEGAL NOTIC

STATE OF TEXAS  
COUNTY OF COMAL

Before me, the undersigned authority, on this day,  
personally appeared, Heather Grant, who being duly  
sworn, deposes and says that she is the business  
manager of the New Braunfels Herald-Zeitung: that  
said newspaper is regularly published in Comal  
County and generally circulated in Comal,  
Guadalupe, Hays, and Bexar counties, Texas: that  
the attached notice was published on the following  
date.

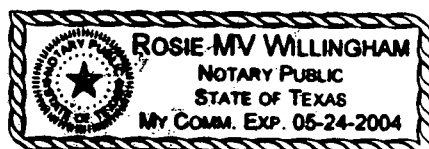
*Heather Grant*

Heather Grant--Business Manager

PUBLISHED ON: 03/13

FILED ON: 03/14/03

Subscribed and sworn before me this  
2003 A.D.



*Rosie MV Willingham*  
Notary Public

**110** Legal Notices

**LEGAL NOTICE**

This is to give notice of  
intent to introduce in  
the 78th Texas  
Legislature, Regular  
Session, a bill to be  
entitled an Act relating  
to the administration,  
powers, and duties of  
the Edwards Aquifer  
Authority, including the  
qualifications of the  
board of directors, and  
the issuance of bonds.

# Hondo Anvil Herald

P.O. Box 400, Hondo, Texas 78861

## PUBLISHER'S AFFIDAVIT

The State of Texas)  
County of Medina)

Before me, the undersigned authority,  
on this day did personally appear Frances  
Guinn, a person known to me, who on her  
oath stated:

That she is the Editor of the Hondo An-  
vil Herald, a newspaper published in Me-  
dina County, Texas, and which newspa-  
per is of general circulation and has been  
published for more than twelve (12)  
months prior to the insertion of the at-  
tached notice, and

That she knows the facts stated in this  
affidavit.

That the attached printed matter is a true  
and correct copy of the publication of the  
notice of which it purposes to be a true  
copy, as the same appeared in such news-  
paper in the respective issues of:

Mar 13, 03

and That the charge of such newspaper

being \$

7.00

Frances Guinn

Frances Guinn, Editor

Subscribed and sworn to before me on

this the 18 day of

March, 2003

Cathy A. Walton

Notary Public  
Medina County, Texas

### LEGAL NOTICE

This is to give notice of intent to in-  
troduce in the 78th Texas Legislature,  
Regular Session, a bill to be entitled  
as an Act relating to the administra-  
tion, powers, and duties of the  
Edwards Aquifer Authority, including  
the qualifications of the board of di-  
rectors, and the issuance of bonds.

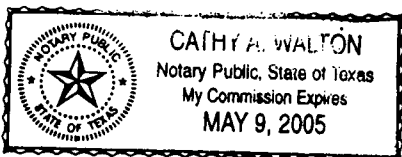
Edwards Aquifer Authority

1615 N. St. Mary's Street

San Antonio, Texas 78215

210-222-2204 or 1-800-292-1047

Pub. Mar. 13, 2003



STATE OF TEXAS )

BEXAR COUNTY )

BEFORE ME, the undersigned authority;

personally appeared

Urai Chokedee

to me personally known to be the

Bookkeeper

of THE HEARST CORPORATION (SAN ANTONIO EXPRESS-NEWS DIVISION), DAILY NEWSPAPERS

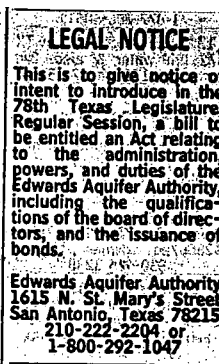
published in the City of San Antonio, in the county and state aforesaid, and being by me first duly sworn,

disposes and says that the advertisement of

Acct#092352002

Ad#15830

Edwards Aquifer Authority



appeared in all editions of said newspaper on the following dates:

3/13/2003

Urai Chokedee

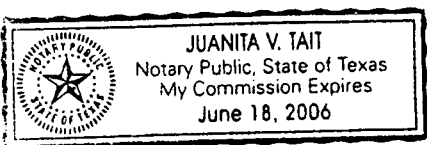
Subscribed and sworn to this

18th

day of

March

2003



Juanita V. Tait  
Notary Public, State of Texas

My commission  
Expires

6-18-2006

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS,

County of Guadalupe

Before me, the undersigned authority, on this date personally appeared

Tommy Crow

, known to me, who, being by me duly sworn, on his oath deposes and says that he is the Publisher of The Seguin Gazette-Enterprise, a newspaper of general circulation, published in said county; that a copy of the within and foregoing notice was published in said newspaper 1 time(s) before the return day named therein, such publications being on the following dates:

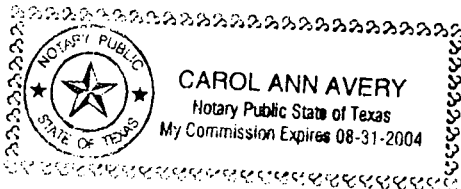
March 13, 2003

and a newspaper copy of which is hereto attached.

Sworn to and subscribed before me this 18<sup>th</sup> day of

March

, A.D., 2003.



Carol Ann Avery  
Notary Public, Guadalupe County, Texas

# CLASS

To Place, Cancel or Correct Your  
Fax Your Ad to 379-8328 Office Hours: Monday - Friday, 8

## ANNOUNCEMENTS

100 - 150

100 Garage & Yard Sale  
102 Auctions  
103 Estate Sales  
110 Legal Notices  
120 Notices  
130 Lost & Found  
140 Personals  
150 Card of Thanks

## PETS & LIVESTOCK

210 - 250

210 Dogs, Cats &  
Misc. Pets  
220 Pet Supplies  
230 Livestock &  
Supplies  
240 Breeding &  
Training  
250 Farm Equipment

## EMPLOYMENT

310 - 360

310 Business  
Opportunities  
315 Accounting &  
Bookkeeping  
320 Secretarial &  
Clerical  
325 Medical & Dental  
330 Professional &  
Business  
335 Retail & Sales

340 Restaurants &  
Clubs  
345 Skills & Trades  
350 Domestic  
355 Full Time &  
Part Time  
360 Jobs Needed

## RENTALS

405 - 480

410 Apartments  
420 Mobile Homes  
430 Waterfront

The Service Index Is Published Daily  
in the Business & Service Directory.

## ANNOUNCEMENTS

100 Garage Sales &  
Yard Sales

1431 SIXTH ST.  
Fri. 9-2 Clothes, jewel-  
ry, music, misc.

230  
PATTON DR.  
Fri. 3/14, 9-?  
Lots of misc. items.

2648 BLUMBERG  
PARK RD.  
(access Rd 1-10 at FM  
464) Sat & Sun, 9-5.

445 SMITH FALOR RD  
Take 467 to Sweet  
Home follow signs.Sat.  
9-12. Many misc items

6652 FM 725  
1 mile from Pic & Pac in  
McQueeney. Thurs. Fri.  
& Sat. 8-? 3 Fam.  
sale. Many misc items.

704 BISMARCK  
Sat. 9-? Multi-Fam  
sale, clothing all sizes,  
maternity, baby items,  
furn & lots more!

944 ZARAGOZA  
Fri. 9-3 Sat. 9-3 March  
14 & 15 sofa, baby bed  
mattress, rain or shine

283 MEADOW LAKE  
906-022-1553  
272-372-380  
11/11/11

100 Garage Sales &  
Yard Sales

126 RIO GRANDE DR.  
And Colorado in Park-  
view Estates. Fri. 2-6  
& Sat. 8-2, Misc. items.

ESTATE SALE  
4753 Gin Rd. off 1-10  
West. March 15, 8-5.  
Greatly reduced! Exit  
#597 Santa Clara Rd.  
S., right @ Gin rd. fol-  
low signs.

140 OLDTOWNE  
Sat. 3/15/03 9-1 Full  
size bed, Sectional so-  
fa, kitchen table & 4  
chairs, doors, windows,  
dishwasher. Too much  
to mention. Don't miss  
it! Call 379-2067 after  
5:00 pm.

KINGSBURY SCHOOL  
Rifle, meat scale, furn.,  
clothes, Coca Cola  
sign, doors, hay rake,  
books. Fri. & Sat. 9-?

110 Legal Notices

NOTICE OF SALE  
STOR-MOR MINI  
STORAGE

110 Legal Notices

## LEGAL NOTICE

This is to give notice of  
intent to introduce in  
the 78th Texas Legisla-  
ture, Regular Session  
a bill to be entitled an  
Act relating to the ad-  
ministration, powers,  
and duties of the Ed-  
wards Aquifer Authority,  
including the qualifica-  
tions of the board of di-  
rectors, and the issu-  
ance of bonds.

Edwards Aquifer  
Authority  
1615 N. St. Mary's  
Street  
San Antonio, Texas  
78215  
210-222-2204 or 1-800-  
292-1047

## NOTICE TO BIDDERS

Seguin Independent  
School District is ac-  
cepting sealed propos-  
als at 1221 E. Kings-  
bury, Seguin, TX 78155  
for the following:

130 Lost & Found

## LOST CAT

Part Siamese, white w/  
light brown markings.  
Country Club area.  
Heartbroken children.  
(210)559-3826.

FOUND BEAGLE  
Off Schneider Rd. Red &  
white, un-neutered male.  
Local 830-743-3035.

## FOUND

Small male terrier look-  
ing dog. White & tan  
w/curly tail, freindly call  
372-3575

## 2 PUPPIES

Found. Free to a good  
home. Come by and  
see them. 830-560-  
1377

\*\*CLASSIFIEDS\*\*

PETS & LIVESTOCK  
210 - 250

210 Dogs, Cats &  
Misc. Pets

## ADULT DOGS

Seek love and  
good living homes

250

## JOH

Model  
w/shreddu  
76 hours  
379-4568.

NEED I  
Before plac  
379-5441,

## EMPL

310

320

## FULL CL

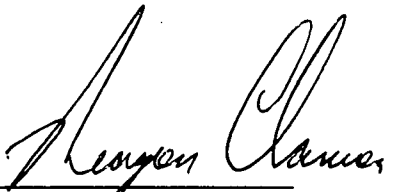
Are you fr  
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willing to  
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a full-time  
be professi  
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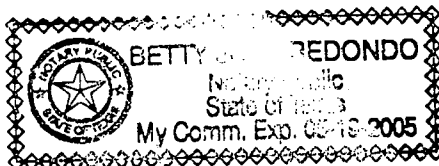
# Publishers Affidavit

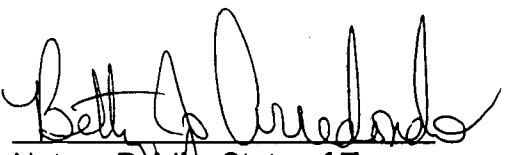
I solemnly swear the enclosed notice was published in the Leader News, a newspaper published in Lytle, County of Atascosa, Texas and of general circulation in Atascosa, Medina and Bexar counties, as provided in the Texas Probate Code for the service of citation or notice by publication.

The date(s) said notice was published was March 13, 2003. A copy of the notice published, clipped from the newspaper, is enclosed hereto.

  
Reagon Clamon  
Publisher

Subscribed and sworn to before me, this 18<sup>th</sup> day of March, 2003, to certify which witness my hand and seal of office.



  
Notary Public, State of Texas

Seal:

# fyeds

Leader News  
March 13, 2003  
Page 13

**BUSINESS: \$6 for the first 10 words 20\$ thereafter • Deadline Tuesday 10 am**

## Homes For Sale



new 16x80 with delivery, A/C,  
irting and hookups included!  
ow \$159 bi-weekly, 9 year  
yout. 10% Dn, 10% APR,  
AC. 210-654-1081.

Bank Repos ready for move in.  
E. Area, EZ Qualify. 1-800-  
0-0244.

enters Wanted! 3/2 ready for  
ove-in Convienient location.  
ill now! 1-800-230-1734 ask  
r Christopher.

or sale by owner. Singlewide  
land in N.W. San Antonio,  
lly improved. Large trees. 210-  
4-4551.

## PUBLIC NOTICES

The Natalia ISD Administration Office and Tax Office will be closed Monday, March 10 through Friday, March 14, 2003 for Spring Break. The March Board of Trustees meeting will be held Monday, March 17, 2003 at 7:00 p.m. in the District Conferences Center in the Natalia Junior High School.

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

**Place your free ad today!**  
**Just call**  
**(830) 709-3515**



6075 WT Montgomery Rd. San Antonio TX 78252

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98	FW FESTIVAL	4/2	16X56	14,500
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96	TOWN & COUNTRY	3/2	16X76	16,900
98	FW-CORONADA	3/2	16X76	18,900
95	CAVALIER	3/2	16X76	17,000
98	FW-FESTIVAL		16X76	17,500
94	GUERDON	3/2	16X76	12,500
97	FLEETWOOD	3/2	28X56	26,500
99	CRESTRIDGE	3/2	28X60	24,500
96	SCHULT	3/2	16X80	750
97	MELODY	3/2	14X60	2,500

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Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Kathleen Hartnett White, *Commissioner*  
Margaret Hoffman, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 2, 2003

The Honorable Tom Craddick  
Texas House of Representatives  
Capitol Station  
PO Box 2910  
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

HB-3586, as Filed by Representative Robert Puente - Relating to the Powers and Duties of the Edwards Aquifer Authority to Manage the Edwards Aquifer Including Groundwater Withdrawals, Permitting, Aquifer Management Fees, Recharge Projects, Demand Management and Transfers, and the Board of Directors

Dear Speaker Craddick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

HB3586 by Representative Puente amends Chapter 626, Acts of the 73<sup>rd</sup> Legislature, Regular Session, 1993, the enabling legislation for the Edwards Aquifer Authority (EAA). The bill adds provisions relating to the board of directors by establishing a required length-of-residence to be eligible to serve as a director. The bill provides procedures: to allow a director candidate to request from EAA a written certification that identifies the candidate's single-member election district; for EAA to determine and respond with the requested certification; and, for actions to be taken should problems arise during the process. The bill repeals language that had provided that a county election precinct could not contain territory from more than one EAA director district.

In addition, the bill provides a chapter definition for water supply facility; removes a prohibition for using management fees to purchase or maintain water supply facilities; increases the groundwater production limit from 450,000 acre-feet per year (afy) to 550,000 afy beginning January 1, 2005, and removes the January 1, 2008 groundwater production limit of 400,000 afy; authorizes EAA to change the amount and, beginning September 1, 2006 and every four years thereafter, determine if the amount of water available for permitting should be changed; requires EAA to authorize permitted

The Honorable Tom Craddick

Page 2

May 2, 2003

withdrawals when aquifer levels meet certain triggers in the San Antonio and Uvalde pools; clarifies certain historic use considerations and exceptions to proportional adjustments to regular permit withdrawals; provides that EAA will compensate permittees in the event a proportional adjustment results in an amount of water being less than an applicable minimum regular permit standard; and, clarifies demand management and critical period management plan requirements and triggers to implement the demand management and critical period plan.

The bill provides the purposes for which the EAA may issue revenue bonds; provides that aquifer management fees collected by EAA shall be used to pay the cost of permit or application retirements or adjusted amounts; provides that aquifer management fees may be used for the repayment of revenue bonds; shifts the burden of fees to aquifer users only; and eliminates the fee to be assessed by TCEQ on downstream water rights holders. The bill provides that a federal facility that has not waived sovereign immunity with respect to EAA permitting requirements is exempt from EAA requirements; clarifies transfers of groundwater and transfers of permits, replacing leases; authorizes EAA to own, operate, or finance aquifer recharge projects; provides a transfer savings clause whereby the changes made by the bill only apply to transfers effective on or after the effective date of this Act; and provides that Chapter 245, Local Government Code, relating to Issuance of Local Permits, does not apply to the EAA. If passed by a two-thirds majority in each house, the Act would take effective immediately. If passed otherwise, the Act would take effect September 1, 2003.

Sincerely,



Dale Beebe-Farrow, P.E., Director  
Water Supply Division

DBF/DA/sr

Enclosure

cc: The Honorable Robert Puente, Chairman, House Natural Resources Committee  
The Honorable Robert Puente, Texas House of Representatives

03 MAY -6 PM 12: 52  
HOUSE OF REPRESENTATIVES

**HOUSE  
COMMITTEE REPORT**  
**1<sup>st</sup> Printing**

By: Puente

H.B. No. 3586

Substitute the following for H.B. No. 3586:

By: Geren

C.S.H.B. No. 3586

A BILL TO BE ENTITLED

AN ACT

relating to powers and duties of the Edwards Aquifer Authority to manage and protect the Edwards Aquifer, the board of directors of the Edwards Aquifer Authority, and revenue bonding authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1.01, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended to read as follows:

Sec. 1.01. FINDINGS AND DECLARATION OF POLICY. The legislature finds that the Edwards Aquifer and its contributory and recharge zones are ~~[is]~~ a unique and complex hydrogeologic ~~[hydrological]~~ system, with diverse economic and social interests dependent on the aquifer for water supply. In keeping with that finding, the Edwards Aquifer and its contributory and recharge zones are ~~[is]~~ declared to be a distinctive natural resource in this state, a unique aquifer, and not an underground stream. To sustain these diverse interests and that natural resource, a special regional management district is required for the effective control of the resource and activities that may jeopardize it in order to protect the water quality of the aquifer, terrestrial and aquatic life, ~~[domestic and]~~ municipal, industrial, irrigation, and domestic water supplies, the operation of existing economic activities ~~[industries]~~, and the economic development of the state. Use of water in the authority ~~[district]~~ for beneficial purposes requires that all reasonable measures be taken to conserve

1 groundwater withdrawn from the Edwards Aquifer and protect the  
2 quality of groundwater in the Edwards Aquifer [~~be conservative in~~  
3 ~~water use~~].

4 SECTION 2. Section 1.03, Chapter 626, Acts of the 73rd  
5 Legislature, Regular Session, 1993, is amended by adding  
6 Subdivision (28) to read as follows:

7 (28) "Recharge facility" means a dam, reservoir,  
8 treatment facility, transmission facility, or other recharge  
9 project, and associated facilities, structures, or works.

10 SECTION 3. Section 1.07, Chapter 626, Acts of the 73rd  
11 Legislature, Regular Session, 1993, is amended to read as follows:

12 Sec. 1.07. OWNERSHIP OF UNDERGROUND WATER. The ownership  
13 and rights of the owner of the land and the owner's lessees and  
14 assigns, including holders of recorded liens or other security  
15 interests in the land, in underground water and the contract rights  
16 of any person who purchases water for the provision of potable water  
17 to the public or for the resale of potable water to the public for  
18 any use are recognized. However, action taken pursuant to this Act  
19 may not be construed as depriving or divesting the owner or the  
20 owner's lessees and assigns, including holders of recorded liens or  
21 other security interests in the land, of these ownership rights or  
22 as impairing the contract rights of any person who purchases water  
23 for the provision of potable water to the public or for the resale  
24 of potable water to the public for any use, subject to the rules  
25 adopted by the authority or a district exercising the powers  
26 provided by Chapter 36 [~~52~~], Water Code. The legislature intends  
27 that just compensation be paid if implementation of this article

1 causes a taking of private property or the impairment of a contract  
2 in contravention of the Texas or federal constitution.

3 SECTION 4. Section 1.08(a), Chapter 626, Acts of the 73rd  
4 Legislature, Regular Session, 1993, is amended to read as follows:

5 (a) The authority has all of the powers, rights, and  
6 privileges necessary to manage, conserve, preserve, and protect the  
7 aquifer and to increase the recharge of, and prevent the waste or  
8 pollution of water in, the aquifer. The authority has all of the  
9 rights, powers, privileges, authority, functions, and duties  
10 provided by the general law of this state, including Chapters 36,  
11 49, and ~~[50,]~~ 51, ~~[and 52,]~~ Water Code, applicable to an authority  
12 created under Article XVI, Section 59, of the Texas Constitution.  
13 This article prevails over any provision of general law that is in  
14 conflict or inconsistent with this article regarding the area of  
15 the authority's jurisdiction.

16 SECTION 5. Chapter 626, Acts of the 73rd Legislature,  
17 Regular Session, 1993, is amended by adding Section 1.081 to read as  
18 follows:

19 Sec. 1.081. WATER QUALITY. (a) The authority may adopt and  
20 enforce rules to protect and preserve the quality of water in the  
21 aquifer, including rules to prevent the pollution of the aquifer.

22 (b) The authority shall adopt rules regarding the control of  
23 fires in the recharge zone in consultation with fire departments  
24 and fire marshals with jurisdiction over the recharge zone in order  
25 to protect the water quality of the aquifer.

26 SECTION 6. Section 1.09, Chapter 626, Acts of the 73rd  
27 Legislature, Regular Session, 1993, is amended by adding Subsection

(i) to read as follows:

(i) To be eligible to be elected or appointed as a voting member of the board, a person must have resided continuously in the single-member election district from which the person seeks to be elected or appointed for six months immediately preceding the following date:

(1) for a candidate for election, the 60th day before the general election date; or

(2) for a candidate for appointment, the date the appointment is made.

SECTION 7. Section 1.11, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended by amending Subsection (f) and adding Subsection (i) to read as follows:

(f) The authority may contract with a person who uses water from the aquifer for the authority or that person to own, finance, design, construct, operate, or ~~own, finance, and~~ maintain water supply facilities. ~~[Management fees or special fees may not be used for purchasing or operating these facilities. For the purpose of this subsection, "water supply facility" includes a dam, reservoir, treatment facility, transmission facility, or recharge project.]~~

(i) The authority by rule shall determine the extent to which permit holders may use programs to reduce or eliminate fees or taxes under Chapters 311 and 312, Tax Code.

SECTION 8. Section 1.14, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended by amending Subsections (b)-(f) and (h) and adding Subsections (f-1) and (f-2) to read as follows:



1 (b) Except as provided by Subsections (d), (f), and (h) of  
2 this section and Section 1.26 of this article, beginning January 1,  
3 2008 [~~for the period ending December 31, 2007~~], the amount of  
4 permitted withdrawals from the aquifer under regular permits may  
5 not exceed 450,000 acre-feet of water for each calendar year.

6 (c) Except as provided by Subsections (d), (f), and (h) of  
7 this section and Section 1.26 of this article, beginning January 1,  
8 2010 [~~for the period beginning January 1, 2008~~], the amount of  
9 permitted withdrawals from the aquifer under regular permits may  
10 not exceed 400,000 acre-feet of water for each calendar year.

11 (d) If, through studies and implementation of water  
12 management strategies, including conservation, springflow  
13 augmentation, diversions downstream of the springs, reuse,  
14 supplemental recharge, conjunctive management of surface and  
15 subsurface water, and drought management plans, programs,  
16 practices, procedures, or methods, the authority determines that  
17 the amount of water available for permitting under Subsection (b)  
18 or (c) of this section should be changed to more effectively  
19 accomplish the purposes of this article [~~additional supplies are~~  
20 ~~available from the aquifer~~], the authority, in consultation with  
21 appropriate state and federal agencies, shall [~~may~~] review and, by  
22 order, change the amount of water available for permitting under  
23 Subsection (b) or (c) of this section. Beginning September 1, 2006,  
24 and every four years thereafter, the authority shall determine  
25 whether the amount of water available for permitting under  
26 Subsection (b) or (c) of this section should be changed. If the  
27 goals of Subsection (a) have not all been met, the authority shall

1 by March 1 of the succeeding year implement new requirements to  
2 ensure compliance with Subsection (a). ~~[may increase the maximum~~  
3 ~~amount of withdrawals provided by this section and set a different~~  
4 ~~maximum amount of withdrawals.]~~

5 (e) The authority may ~~[not]~~ allow withdrawals from the  
6 aquifer through wells drilled after June 1, 1993, only if the  
7 withdrawal is made:

8 (1) under the transfer of a regular, term, emergency,  
9 monitoring, or recharge recovery permit;

10 (2) under a transfer of interim authorization; or

11 (3) from an exempt well ~~[except additional water as~~  
12 ~~provided by Subsection (d) and then on an interruptible basis].~~

13 (f) The authority shall authorize withdrawals under initial  
14 regular permits on an uninterruptible basis as follows:

15 (1) for the San Antonio pool, if ~~[if]~~ the level of the  
16 aquifer is equal to or greater than 650 feet above mean sea level as  
17 measured at Well J-17; and

18 (2) for the Uvalde pool, if ~~[, the authority may~~  
19 ~~authorize withdrawal from the San Antonio pool, on an~~  
20 ~~uninterruptible basis, of permitted amounts. If]~~ the level of the  
21 aquifer is equal to or greater than 845 feet at Well J-27 ~~[, the~~  
22 ~~authority may authorize withdrawal from the Uvalde pool, on an~~  
23 ~~uninterruptible basis, of permitted amounts].~~

24 (f-1) Under Section 1.26 of this article the authority may  
25 interrupt withdrawals under initial regular permits as follows:

26 (1) for the San Antonio pool, if the level of the  
27 aquifer is less than 650 feet above mean sea level as measured at

1 Well J-17; and

2 (2) for the Uvalde pool, if the level of the aquifer is  
3 less than 845 feet at Well J-27.

4 (f-2) Under Section 1.26 of this article, the [The]  
5 authority shall require interruptions in [limit the additional]  
6 withdrawals, or require implementation of programs, practices,  
7 procedures, or methods under Subsection (h) of this section, to  
8 protect [to ensure that] springflows at the Comal Springs and San  
9 Marcos Springs [are not affected] during demand management and  
10 critical period management [drought] conditions.

11 (h) By [To accomplish the purposes of this article, by] June  
12 1, 2005 [1994], under Section 1.26 of this article the authority [7  
13 through a program,] shall implement and enforce water management  
14 programs, practices, procedures, or [and] methods to ensure that,  
15 not later than December 31, 2012, the continuous minimum  
16 springflows of the Comal Springs and the San Marcos Springs are  
17 maintained to protect endangered and threatened species to the  
18 extent required by federal law. The authority from time to time as  
19 appropriate may revise the programs, practices, procedures, or  
20 [and] methods. To meet this requirement, the authority shall  
21 require:

22 (1) phased reductions in the amount of water that may  
23 be used or withdrawn by existing users or categories of other users;  
24 or

25 (2) implementation of alternative management  
26 programs, practices, procedures, or [and] methods.

27 SECTION 9. Section 1.15(b), Chapter 626, Acts of the 73rd

Legislature, Regular Session, 1993, is amended to read as follows:

(b) Except as provided by Sections 1.17, ~~[and]~~ 1.33, and 1.331 of this article, a person may not withdraw water from the aquifer or begin construction of a well or other works designed for the withdrawal of water from the aquifer without obtaining a permit from the authority.

SECTION 10. Section 1.16(e), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended to read as follows:

(e) To the extent water is available for permitting under Sections 1.14(b) or (d), the board shall issue an ~~[the]~~ existing user a regular permit for withdrawal of an amount of water equal to the user's maximum beneficial use of water without waste during any one calendar year of the historical period. If an existing ~~[a water]~~ user does not have historical use for a full year, then the authority shall set the user's maximum beneficial use of water without waste as the ~~[issue a permit for withdrawal based on an]~~ amount of water that would normally be beneficially used without waste for the intended purpose for a calendar year.

(e-1) If the total amount of water determined to have been beneficially used without waste under Subsection (e) of this section ~~[this subsection]~~ exceeds 450,000 acre-feet of water for each calendar year ~~[the amount of water available for permitting]~~, the authority shall proportionately adjust the amount of water authorized for withdrawal under regular ~~[the]~~ permits ~~[proportionately]~~ to meet 450,000 acre-feet of water for each calendar year ~~[the amount available for permitting]~~.

(e-2) Except as provided by Section 1.21(c) of this article,

1 after the authority makes a proportional adjustment under  
2 Subsection (e-1) of this section, the authority shall restore the  
3 amount of water authorized for withdrawal under a regular permit to  
4 the following minimum amounts:

5 (1) for an [An] existing irrigation user, [shall  
6 receive a permit for not less than] two acre-feet a year for each  
7 acre of land the user actually irrigated in any one calendar year  
8 during the historical period; or

9 (2) for an [An] existing user who has operated a  
10 well for three or more years during the historical period, [shall  
11 receive a permit for at least] the average amount of water withdrawn  
12 annually during the historical period.

13 SECTION 11. The heading of Section 1.21, Chapter 626, Acts  
14 of the 73rd Legislature, Regular Session, 1993, is amended to read  
15 as follows:

16 Sec. 1.21. [PERMIT] RETIREMENT OF REGULAR PERMITS.

17 SECTION 12. Section 1.21, Chapter 626, Acts of the 73rd  
18 Legislature, Regular Session, 1993, is amended by amending  
19 Subsection (c) and adding Subsection (d) to read as follows:

20 (c) If, before [on or after] January 1, 2008, the aggregate  
21 [overall] volume of water authorized to be withdrawn from the  
22 aquifer under regular permits is greater than 450,000 [400,000]  
23 acre-feet a year or greater than the adjusted amount determined  
24 under Subsection (d) of Section 1.14 of this article, not later than  
25 October 1, 2007, the board shall issue an order to be effective on  
26 January 1, 2008, proportionately adjusting the [maximum]  
27 authorized withdrawal amount of each regular permit [shall be

~~immediately reduced by an equal percentage]~~ as is necessary to reduce aggregate authorized withdrawals under regular permits ~~[overall maximum demand]~~ to 450,000 ~~[400,000]~~ acre-feet a year or the adjusted amount, as appropriate~~[. The amount reduced may be restored, in whole or in part, as other appropriate measures are implemented that maintain overall demand at or below the appropriate amount]~~.

(d) If, before January 1, 2010, the aggregate volume of water authorized to be withdrawn from the aquifer under regular permits is greater than 400,000 acre-feet a year or greater than the adjusted amount determined under Section 1.14(d) of this article, the board, not later than October 1, 2009, shall issue an order to be effective January 1, 2010, proportionally adjusting the authorized withdrawal amount of each regular permit as is necessary to reduce aggregate authorized withdrawals under regular permits to 400,000 acre-feet a year or the adjusted amount, as appropriate.

SECTION 13. Section 1.26, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended to read as follows:

Sec. 1.26. DEMAND MANAGEMENT AND CRITICAL PERIOD MANAGEMENT PLAN. (a) The authority shall prepare and coordinate implementation of a plan for demand management and critical period management ~~[on or before September 1, 1995]~~. The mechanisms must:

(1) distinguish between discretionary use and nondiscretionary use;

(2) require reductions of all discretionary use to the maximum extent feasible;

(3) require utility pricing, to the maximum extent

feasible, to limit discretionary use by the customers of water utilities; and

(4) require reduction of nondiscretionary use by permitted or contractual users, to the extent further reductions are necessary, in the reverse order of the following water use preferences:

(A) municipal, domestic, and livestock;

(B) industrial and crop irrigation; and

(C) residential landscape irrigation[+

~~[(D) recreational and pleasure, and~~

~~[(E) other uses that are authorized by law].~~

(b) The board shall adopt measures to ensure that authorized withdrawals made under regular permits are reduced to 350,000 acre-feet a year if the following conditions are met:

(1) for the San Antonio pool, the level of the aquifer must be less than 627 feet above mean sea level as measured at Well J-17; or

(2) for the Uvalde pool, the level of the aquifer must be less than 842 feet above mean sea level as measured at Well J-27.

(c) The board shall adopt the demand management and critical period plan required under this section not later than September 1, 2004.

(d) Subsection (b) of this section and this subsection expire January 1, 2008.

SECTION 14. Section 1.28, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) The authority may issue revenue bonds to finance:

(1) the purchase of land;

(2) ~~or~~ the purchase, construction, or installation of facilities or equipment, including recharge dams and associated facilities, structures, or works; or

(3) the retirement of permits or applications for initial regular permits under Section 1.21 of this article by compensating permit holders or applicants as provided by Section 1.21(c) of this article.

(b-1) The authority may not allow for any person to construct, acquire, or own facilities for transporting groundwater out of Uvalde County or Medina County.

SECTION 15. Section 1.29, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended by amending Subsections (a)-(e), (h), and (i) and adding Subsection (a-1) to read as follows:

(a) The cost of ~~[reducing withdrawals or]~~ permit retirements under Section 1.21(c) of this article for the period beginning January 1, 2008, must be borne~~+~~

~~[-1-]~~ solely by users of the aquifer.

(a-1) The cost of permit retirements under Section 1.21(d) of this article for the period beginning January 1, 2010, must be borne equally by holders of initial regular permits and downstream surface water rights holders. ~~[for reducing withdrawals from the level on the effective date of this article to 450,000 acre-feet a year, or the adjusted amount determined under Subsection (d) of Section 1.14 of this article for the period ending December 31,~~



1 ~~2007, and~~

2 ~~[(2) equally by aquifer users and downstream water~~  
 3 ~~rights holders for permit retirements from 450,000 acre-feet a~~  
 4 ~~year, or the adjusted amount determined under Subsection (d) of~~  
 5 ~~Section 1.14 of this article for the period ending December 31,~~  
 6 ~~2007, to 400,000 acre-feet a year, or the adjusted amount~~  
 7 ~~determined under Subsection (d) of Section 1.14 of this article,~~  
 8 ~~for the period beginning January 1, 2008.]~~

9 (b) The authority shall assess, bill, and collect equitable  
 10 aquifer management fees based on aquifer use under the water  
 11 management plan to finance its administrative expenses and programs  
 12 authorized under this article. Aquifer management fees may  
 13 additionally be used for the repayment of revenue bonds issued by  
 14 the authority under Section 1.28 of this article. Each water  
 15 district governed by Chapter 36 [52], Water Code, that is within the  
 16 authority's boundaries may contract with the authority to pay  
 17 expenses of the authority through taxes in lieu of user fees to be  
 18 paid by water users in the district. The contract must provide that  
 19 the district will pay an amount equal to the amount that the water  
 20 users in the district would have paid through user fees. The  
 21 authority may not collect a total amount of fees and taxes that is  
 22 more than is reasonably necessary for the administration of the  
 23 authority.

24 (c) The authority shall also assess, bill, and collect a [~~an~~  
 25 ~~equitable~~] special fee assessed equally on a per acre-foot basis  
 26 [~~based~~] on initial regular permits without regard to use [~~permitted~~  
 27 ~~aquifer water rights~~] to be used only to finance the retirement of

1 initial regular permits from 450,000 ~~[rights necessary]~~ to 400,000  
 2 acre-feet a year, or the adjusted amount determined under Section  
 3 1.14(d) of this article ~~[meet the goals provided by Section 1.21 of~~  
 4 ~~this article]~~. Fees assessed on holders of initial regular permits  
 5 by the ~~[The]~~ authority under this subsection may not exceed  
 6 one-half of the cost of permit retirements from 450,000 to 400,000  
 7 acre-feet a year, or the adjusted amount, for the period beginning  
 8 January 1, 2010 ~~[shall set the equitable special fees on permitted~~  
 9 ~~aquifer users at a level sufficient to match the funds raised from~~  
 10 ~~the assessment of equitable special fees on downstream water rights~~  
 11 ~~holders]~~.

12 (d) The commission shall assess, and the authority shall  
 13 bill and collect, equitable special fees on all downstream surface  
 14 water rights holders in the Guadalupe River Basin to be used solely  
 15 to finance the retirement of initial regular permits from 450,000  
 16 to 400,000 acre-feet a year, or the adjusted amount determined  
 17 under Section 1.14(d) of this article ~~[aquifer rights necessary to~~  
 18 ~~meet the goals provided by Section 1.21 of this article]~~. Fees  
 19 assessed under this subsection may not exceed one-half of the cost  
 20 of permit retirements from 450,000 ~~[acre-feet a year, or the~~  
 21 ~~adjusted amount determined under Subsection (d) of Section 1.14 of~~  
 22 ~~this article, for the period ending December 31, 2007,~~ to 400,000  
 23 acre-feet a year for the period beginning January 1, 2010 ~~[2008]~~.  
 24 The authority shall report to the commission the estimated costs of  
 25 the retirements. The amount of fees assessed under this subsection  
 26 shall be determined in accordance with rules adopted by the  
 27 commission for fees under the South Texas watermaster program with

1 adjustments as necessary to ensure that fees are equitable between  
2 users, including priority and nonpriority hydroelectric users. A  
3 downstream surface water rights holder shall pay fees assessed  
4 under this subsection to the authority. A fee may not be assessed  
5 by the commission under this subsection on contractual deliveries  
6 of water stored in Canyon Lake that may be diverted downstream of  
7 the San Marcos Springs or Canyon Dam. A person or entity making a  
8 contractual sale of water stored upstream of Canyon Dam may not  
9 establish a systemwide rate that requires purchasers of  
10 upstream-stored water to pay the special fee assessed under this  
11 subsection.

12 (e) In developing an equitable fee structure under this  
13 section, the authority may establish different fee rates on a per  
14 acre-foot basis for different types of use. The fees must be  
15 equitable between types of uses. The fee rate for agricultural use  
16 shall be based on the volume of water withdrawn and may not be more  
17 than \$2 per acre-foot. The authority shall assess the fees on the  
18 amount of water a permit holder is authorized to withdraw under the  
19 permit. This subsection does not apply to the assessment of the  
20 equitable special fee to retire initial regular permits under  
21 Subsection (b) of this section.

22 (h) Special fees collected under Subsection (c) or (d) of  
23 this section may not be used to finance recharge facilities [~~a~~  
24 ~~surface water supply reservoir project~~].

25 (i) The authority shall provide money as necessary, but not  
26 to exceed five percent of the money collected under Subsection (b)  
27 [~~(d)~~] of this section, to finance the South Central Texas Water

1 Advisory Committee's administrative expenses and programs  
2 authorized under this article.

3 SECTION 16. Section 1.33(a), Chapter 626, Acts of the 73rd  
4 Legislature, Regular Session, 1993, is amended to read as follows:

5 (a) A well [~~that produces 25,000 gallons of water a day or~~  
6 ~~less~~] for domestic or livestock use is exempt from metering  
7 requirements if the well:

8 (1) was installed and in operation not later than  
9 September 1, 2003, and is capable of producing a maximum of 25,000  
10 gallons of water a day; or

11 (2) is capable of producing a maximum of 10,000  
12 gallons of water a day.

13 SECTION 17. Article 1, Chapter 626, Acts of the 73rd  
14 Legislature, Regular Session, 1993, is amended by adding Section  
15 1.331 to read as follows:

16 Sec. 1.331. EXEMPTION FOR FEDERAL FACILITIES; TRANSFER OF  
17 OWNERSHIP OF APPLICATION. (a) Federal facilities, which are  
18 immune from regulation under the doctrine of sovereign immunity,  
19 are exempt from the requirements of this article and any rules  
20 adopted under it.

21 (b) A person may obtain an initial regular permit based on  
22 an application voluntarily filed by a federal facility if, before  
23 September 1, 2003, the authority approves the transfer of ownership  
24 of the application for an initial regular permit from the federal  
25 facility to the person seeking the permit.

26 SECTION 18. Section 1.34, Chapter 626, Acts of the 73rd  
27 Legislature, Regular Session, 1993, is amended by amending

Subsections (a) and (c) and adding Subsection (d) to read as follows:

(a) Water withdrawn from the aquifer may ~~[must]~~ be used only within the boundaries of:

(1) the authority; or

(2) the geographic area subject to a certificate of convenience and necessity that extends within and beyond the boundaries of the authority, provided that the majority of that geographic area is within the boundaries of the authority and the certificate is held by an original regular permit holder or a wholesale customer of that permit holder.

(c) A permit holder may transfer a regular permit ~~[lease permitted water rights, but a holder of a permit for irrigation use may not lease more than 50 percent of the irrigation rights initially permitted. The user's remaining irrigation water rights must be used in accordance with the original permit and must pass with transfer of the irrigated land]~~.

(d) An irrigation permit may be transferred to any owner, point of withdrawal, place of use, or purpose of use, except that 50 percent of the groundwater withdrawal amount initially permitted may be used only for irrigation.

SECTION 19. Section 1.43, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended to read as follows:

Sec. 1.43. CREATION OF UNDERGROUND WATER CONSERVATION DISTRICT. An underground water conservation district may be created in any county affected by this article as provided by Subchapter B, Chapter 36 ~~[52]~~, Water Code.

1           SECTION 20. Section 1.45(a), Chapter 626, Acts of the 73rd  
2 Legislature, Regular Session, 1993, is amended to read as follows:

3           (a) The authority may own, finance, design, construct,  
4 [~~build or~~ operate, and maintain recharge dams and associated  
5 facilities, structures, or works in the contributing or recharge  
6 area of the aquifer if the recharge is made to increase the yield of  
7 the aquifer and the recharge project does not impair senior water  
8 rights or vested riparian rights.

9           SECTION 21. Section 1.094(c), Sections 1.21(a) and (b), and  
10 Section 1.34(b), Chapter 626, Acts of the 73rd Legislature, Regular  
11 Session, 1993, are repealed.

12          SECTION 22. Regardless of the original deadline for filing  
13 declarations of historical use, the Edwards Aquifer Authority shall  
14 process all declarations filed before 4:30 p.m. on February 16,  
15 1997, as if the declarations were timely filed.

16          SECTION 23. Transfers that are effective before the  
17 effective date of this Act, that are approved by the Edwards Aquifer  
18 Authority, that have not been rescinded, and that are not subject to  
19 pending litigation are hereby validated.

20          SECTION 24. The change in law made by this Act to Section  
21 1.34, Chapter 626, Acts of the 73rd Legislature, Regular Session,  
22 1993, applies only to a transfer effective on or after the effective  
23 date of this Act. The change in law made by this Act to Section  
24 1.34, Chapter 626, Acts of the 73rd Legislature, Regular Session,  
25 1993, does not affect the validity of a transfer effective before  
26 the effective date of this Act. A transfer effective before the  
27 effective date of this Act is governed by the provisions of Chapter

1 626, Acts of the 73rd Legislature, Regular Session, 1993, and the  
2 rules of the Edwards Aquifer Authority in effect at the time the  
3 transfer became effective.

4 SECTION 25. This Act takes effect immediately if it  
5 receives a vote of two-thirds of all the members elected to each  
6 house, as provided by Section 39, Article III, Texas Constitution.  
7 If this Act does not receive the vote necessary for immediate  
8 effect, this Act takes effect September 1, 2003.

COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

4/28/03  
(date)

Sir:  
We, your COMMITTEE ON NATURAL RESOURCES  
to whom was referred HB 3586 have had the same under consideration and beg to report  
back with the recommendation that it

- ( ) do pass, without amendment.
- ( ) do pass, with amendment(s).
- ☒ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- ☒ yes ( ) no A fiscal note was requested.
- ( ) yes ☒ no A criminal justice policy impact statement was requested.
- ( ) yes ☒ no An equalized educational funding impact statement was requested.
- ( ) yes ☒ no An actuarial analysis was requested.
- ( ) yes ☒ no A water development policy impact statement was requested.
- ( ) yes ☒ no A tax equity note was requested.
- ( ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

Joint Sponsors: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Puente, Chair	X			
Callegari, Vice-chair	X			
Campbell				X
Cook, R.	X			
Geren	X			
Hamilton	X			
Hardcastle	X			
Hope	X			
Wolens				X

Total      7      aye  
                 0      nay  
                 0      present, not voting  
                 2      absent

M. H. M.  
CHAIR



## **BILL ANALYSIS**

C.S.H.B. 3586  
By: Puente  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Edwards Aquifer Authority (Authority) was created by the Edwards Aquifer Authority Act (Act) to preserve, protect and manage the Edwards Aquifer (Aquifer). The Aquifer provides water for municipal, industrial and irrigation use in central and south Texas.

The Act establishes a 17 member board, 15 of whom are elected. An order issued in a lawsuit filed against the Authority's predecessor agency, the Edwards Underground Water District, failed to include a 60-day residency requirement for director candidates. The Texas Election Code requires candidates for other political subdivisions to reside in the district for at least 60 days prior to filing for office.

The Act charges the Authority with limiting annual groundwater withdrawal permits to 450,000 acre-feet per annum for the period ending December 31, 2007, and to 400,000 acre-feet per annum for the period beginning January 1, 2008 (the caps). The Act also requires the Authority to issue withdrawal permits to applicants that demonstrate, by convincing evidence, they beneficially used groundwater between 1972 and 1993, and provides most applicants with a guaranteed minimum permit. Over the last five years, the Authority has reviewed over 1,000 applications, over 800 of which have completed the application process and either received a permit or been denied. When the last of the applications complete the contested case process in 2004, the aggregate total of permits issued will far exceed the 450,000 acre-foot cap. Because the Authority has no discretion in the amount of the final permits based on the minimums, and because the Authority cannot change the caps until it completes a number of scientific studies and consults with state and federal agencies, it is currently impossible to comply with both mandates in the Act.

The Act provides that the Authority may interrupt regular permit withdrawals if the level of the Aquifer is below 650 feet above mean sea level at the J-17 Well for the San Antonio Pool and, for the Uvalde pool, when the J-27 well drops below 845 feet above mean sea level. These restrictions are designed to protect springflows at Comal and San Marcos springs, and protect downstream surface water rights during low Aquifer conditions.

The Act allows the Authority to contract with another person for the Authority or that person to construct, operate, own, finance, and maintain water supply facilities but prohibits the Authority from using management or special fees for purchasing or operating these facilities.

The Act places limitations on the transfer of the place and purpose of use for one-half of each irrigation permit such that the permit must "pass with the land" associated with the area originally irrigated. This restriction makes it difficult for farmers to move water from one farm to another as needed. Any transfer of any portion of the irrigated farm forces the farmer to have the land surveyed to ensure the groundwater permit passes with the land.

The Act allows the Authority to issue revenue bonds, but does not explicitly allow Aquifer management fees to be used to repay the bonds, nor does it explicitly allow the bond proceeds to be used for constructing recharge facilities or retiring Authority permits.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

## **ANALYSIS**

### **SECTION 1:**

Amends Section 1.01 of the Act to include the contributing and recharge zones as a part of the unique hydrogeologic formation; adds Aquifer water quality, as well as industrial and irrigation water supplies to items the Authority is to protect, and requires all reasonable measures be taken to conserve the use and protect the quality of Edwards Aquifer groundwater.

### **SECTION 2:**

Amends Section 1.03 of the Act to add a definition for "recharge facility."

### **SECTION 3:**

Amends Section 1.07 of the Act to update the reference to Chapter 52, Water Code, to Chapter 36, Water Code.

### **SECTION 4:**

Amends Section 1.08(a) of the Act to update references to Chapters 50 and 52, Water Code, to Chapters 36 and 49, Water Code.

### **SECTION 5:**

Adds new proposed Section 1.081 to the Act to allow the Authority to adopt and enforce rules to protect the water quality of the Aquifer, and require the Authority to adopt rules, in consultation with fire departments and fire marshals, to prevent pollution of the Aquifer from fires over the recharge zone.

### **SECTION 6:**

Amends Section 1.09 of the Act by adding new Subsection (i) to require candidates for the office of Authority director to reside in the director district at least six months immediately preceding either the 60th day prior to the general election date for a candidate seeking election to office, or the day of appointment for a candidate seeking appointment.

### **SECTION 7:**

Amends Section 1.11 of the Act by amending Subsection (f) and adding new Subsection (i) to allow the Authority to contract to own, finance, design, construct, operate, or maintain water supply facilities; to remove the restriction on the use of management or special fees for purchasing or operating these facilities; and to require the Authority to determine by rule the extent to which permit holders may use programs to reduce and eliminate fees or taxes under Chapters 311 and 312, Tax Code.

### **SECTION 8:**

Amends Section 1.14 of the Act by amending Subsections (b) - (f) and (h) and adding new Subsections (f-1) and (f-2) to establish January 1, 2008 as the date the Authority must limit regular permits to 450,000 acre-feet per year, and extend the date to achieve the 400,000 acre-foot permit cap to January 1, 2010; requires the Authority to determine, beginning September 1, 2006 and every four years thereafter, whether the permit caps should be changed; allows certain withdrawals from wells drilled after June 1, 1993; requires the Authority to allow uninterrupted withdrawals from the San Antonio Pool if the level of the Aquifer is at or above 650 feet above mean sea level at Well J-17 and from the Uvalde pool if the level of the Aquifer is at or above 845 feet above mean sea level at Well J-27; requires the Authority to interrupt withdrawals when the Aquifer is below those levels; and requires interruptions pursuant to Section 1.26 of the Act to protect springflows at Comal and San Marcos springs during demand management and critical period management conditions.

### **SECTION 9:**

Conforming amendments.

### **SECTION 10:**

Amends Section 1.16(e) of the Act to specify that if an existing user does not have historical use for a full year, the Authority will set the user's maximum permit level at the amount that would have been used in a full year of operation; provides for proportional adjustment to all regular permits in

the event total regular permits exceed the permit cap; and requires the Authority to restore regular permits to the statutory minimums.

**SECTION 11:**

Amends the heading of Section 1.21 of the Act.

**SECTION 12:**

Amends Section 1.21 of the Act by amending Subsection (c) and adding new Subsection (d) to require that the Authority board issue an order by October 1, 2007, to be effective on January 1, 2008, proportionally adjusting regular permits so that aggregate permits do not exceed 450,000 acre-feet per year; and to require that the Authority board issue an order by October 1, 2009, to be effective on January 1, 2010, proportionally adjusting regular permits so that aggregate permits do not exceed 400,000 acre-feet per year.

**SECTION 13:**

Amends Section 1.26 of the Act to provide for a demand management and critical period management plan; deletes the "recreational and pleasure" and "other uses" categories from the priority list of non-discretionary groundwater uses; requires the Authority to adopt measures to ensure authorized withdrawals from regular permits are reduced to 350,000 acre-feet per year if the level of the Aquifer is below specified levels for the San Antonio or Uvalde Pools; requires the Authority to adopt a demand management and critical period plan by September 1, 2004; and sunsets the requirement to reduce withdrawals to 350,000 acre-feet on January 1, 2008.

**SECTION 14:**

Amends Section 1.28 of the Act by amending Subsection (b) and adding new Subsection (b-1) to allow the Authority to issue revenue bonds and use the proceeds to construct recharge dams and retire permits.

**SECTION 15:**

Amends Section 1.29 of the Act by amending Subsections (a) - (e), (h) and (i) and adding new Subsection (a-1) to provide that the cost to retire regular permits to 450,000 acre-feet is to be borne solely by Aquifer users; requires that the cost to retire permits to 400,000 acre-feet is to be borne equally by regular permit holders and downstream surface water right holders; requires the Authority to assess, bill and collect Aquifer management fees and expand the Authority's ability to use these fees to repay revenue bond debt; changes the reference to Chapter 52, Water Code to Chapter 36, Water Code; requires the Authority to assess, bill, and collect a special fee on regular permit holders to be used to retire permits from 450,000 to 400,000 acre-feet. The special fees under this section, assessed equally on a per acre-foot basis on regular permits without regard to use, may not exceed one-half of the cost of permit retirements from 450,000 to 400,000 acre feet; requires the Texas Commission on Environmental Quality to assess, and the Authority to bill and collect the special fees on all downstream surface water rights to finance the retirement of permits from 450,000 to 400,000 acre feet per year; provides that subsection (e) of Section 1.29 does not apply to the special equitable retirement fee; and amends subsection (h) to reference recharge facilities instead of surface water reservoirs.

**SECTION 16:**

Amends Section 1.33(a) of the Act to revise the definition of a domestic or livestock well as a well capable of producing 10,000 gallons per day or less; and grandfathers existing wells at the current exempt levels.

**SECTION 17:**

Amends the Act by adding new proposed Section 1.331 to exempt Federal facilities from the requirements of the Act, and allows others to receive a regular permit based on the historical use of a federal facility if the application is transferred prior to September 1, 2003.

**SECTION 18:**

Amends Section 1.34 of the Act by amending Subsections (a) and (c), and adding new Subsection (d) to provide that Edwards Aquifer water may be used only within the boundaries of the Authority or within the existing Certificate of Convenience and Necessity (CCN) of a regular permit holder

or their wholesale customer; provides that regular permits are generally transferable, and requires that 50 percent of irrigation initial regular permits may only be used for irrigation.

**SECTION 19:**

Conforming amendments.

**SECTION 20:**

Amends Section 1.45(a) of the Act to allow the Authority to own, finance, design, construct, operate and maintain recharge dams and associated structures located on the contributing and recharge areas of the Aquifer.

**SECTION 21:**

Repeals Sections 1.094(c) (relating to county election precincts), 1.21 (a) and (b) (relating to the reduction to 400,000 by 2008, contained in the original SB 1477 language (Chapter 626, Acts of the 73rd Legislature, Regular Session 1993)) and 1.34(b) of the Act (relating to the installation of water conservation equipment).

**SECTION 22:**

Requires the Authority to process all declarations of historical use filed with the Authority after the filing deadline but before February 16, 1997, as if they were timely filed.

**SECTION 23:**

SAVINGS CLAUSE to validate all transfers completed prior to September 1, 2003.

**SECTION 24:**

SAVINGS CLAUSE for certain transfers.

**EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

In Section 1.01 of the Act, the substitute adds contributing and recharge zones as areas of concern to the general purposes statement; and adds water quality of the aquifer, industrial, irrigation, and domestic water supplies to items the Authority is created to protect.

In Section 1.03 of the Act, the substitute defines a "recharge facility" to mean a dam, reservoir, treatment facility, transmission facility, or other recharge project, and associated facilities, structures, or works. The original bill defined such structures as a "water supply facility."

The substitute adds new proposed Section 1.081 of the Act allowing the Authority to adopt and enforce rules to protect the water quality of the aquifer and requiring the Authority to adopt rules regarding firefighting in the recharge zone.

In Section 1.09 of the Act, the substitute deletes proposed section (j) regarding certification of a director candidate contained in the original bill.

In Section 1.11 of the Act, the substitute adds new section (i) requiring the Authority to determine by rule the extent to which permit holders may use programs to reduce or eliminate fees or taxes under Chapters 311 and 312, Tax Code.

In Section 1.14 of the Act, the substitute requires the Authority to limit withdrawals to 450,000 acre-feet rather than raising the cap to 550,000 acre feet as provided in the original bill; however, the date to achieve this limit is extended to January 1, 2008; the requirement to limit withdrawals to 400,000 acre-feet is also reinstated; however, the date to achieve this limit is extended to January 1, 2010.

In Section 1.16 of the Act, the substitute adds a new requirement to proportionally adjust permits to 450,000 acre-feet and also provides guarantees for irrigators and users with more than three year's use.

In Section 1.21 of the Act, the substitute repeals subsections (a) & (b); provides that if aggregate withdrawals will exceed 450,000 by January 1, 2008, the Authority board must issue an order by October 1, 2007 proportionately adjusting withdrawals effective January 1, 2008; and provides that if aggregate withdrawals will exceed 400,000 by January 1, 2010, the Authority board must issue an order by October 1, 2009 proportionately adjusting withdrawals, effective January 1, 2010.

In Section 1.26 of the Act, the substitute deletes "recreational and pleasure" & "other uses" from the list of non-discretionary uses of groundwater; reduces withdrawals to 350,000 acre-feet a year when certain aquifer levels are in effect; and deletes language from the original bill requiring reduction of authorized withdrawals by 20 percent if new demand management/critical period management rules implementing the 350,000 acre foot limit are not adopted by September 1, 2004.

In Section 1.28 of the Act, the substitute changes references to use of revenue bonds for the purpose of compensating permit retirements under Section 1.21(c) of the Act.

In Section 1.29 of the Act, the substitute returns the provisions regarding the costs of the reductions to the original SB 1477 language (Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993) but updates section references and dates; requires the Authority to bill and collect a fee on downstream water right holders for the retirement of water rights from 450,000 acre-feet to 400,000 acre-feet instead of the Texas Commission on Environmental Quality; provides that subsection (e) does not apply to the special equitable retirement fee; and amends subsection (h) to reference recharge facilities instead of surface water reservoirs.

In Section 1.33 of the Act, the substitute redefines exempt domestic and livestock wells as wells capable of producing 10,000 gallons per day or less, but grandfathers all existing exempt wells at the 25,000 gallons per day.

In new proposed Section 1.331 of the Act, the substitute provides that a person may obtain a permit based on the historical use of a federal facility if the application is transferred prior to September 1, 2003.

In Section 1.34 of the Act, the substitute allows the use of Edwards groundwater outside the boundaries of the Authority if it is used within an existing CCN of a permit holder or their wholesale customer; deletes subsection (b); and changes the transfer language in subsection (d) to allow full transfers of all permits, except that 50 percent of the initial regular irrigation permit may be used only for irrigation.

The substitute requires the authority to process applications filed after 12/30/96 but before 2/16/97 as if they had been filed timely

The substitute adds an additional savings clause for certain transfers.

The substitute removes the exemption from Chapter 245, Local Government Code, contained in the original bill.

## SUMMARY OF COMMITTEE ACTION

HB 3586

April 23, 2003      3:00PM      or upon final adjourn./recess

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Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 28, 2003      upon lunch recess

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Considered in formal meeting

Committee substitute considered in committee

Reported favorably as substituted

6

WITNESS LIST

HB 3586  
HOUSE COMMITTEE REPORT  
Natural Resources Committee

April 23, 2003 - 3:00PM or upon final adjourn./recess

For: Beldon, Mike (Edwards Aquifer Authority)  
Ellis, Greg (Edwards Aquifer Authority)  
Frenzel, Richard (Bexar County Water Control &  
Improvement District #10 and Northeast Partnership)  
Gibbs, Gary (American Electric Power Company)  
Young, Leonard (San Antonio Water System)  
Against: Gilpin, Cheryl (Self and Edwards Aquifer Authority,  
District 8)  
James, Jerry (City of Victoria and Mayor of Victoria)  
Kramer, Ken (Lone Star Chapter, Sierra Club)  
Millikin, Jay (Comal County Commissioners Court)  
Votteler, Todd (Guadalupe-Blanco River Authority)  
On: Thompson, Carrie (U.S. Fish & Wildlife Service)

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 30, 2003**

**TO:** Honorable Robert Puente, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **HB3586** by Puente (Relating to powers and duties of the Edwards Aquifer Authority to manage and protect the Edwards Aquifer, the board of directors of the Edwards Aquifer Authority, and revenue bonding authority.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend statutes related to the Edwards Aquifer Authority. The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

The Edwards Aquifer Authority (authority) identified sections of the bill that would have a fiscal impact on the authority.

Under current statute, for the period ending December 31, 2007, the amount of permitted withdrawals from the aquifer may not exceed 450,000 acre-feet of water for each calendar year. The bill would change the requirement from a period ending December 31, 2007, to beginning January 1, 2008, and would specify applicability to withdrawals from the aquifer under regular permits. According to the authority, the 450,000 acre-feet cap would require the purchase of 107,000 acre-feet by the authority. Assuming a market cost of \$2,000 per acre-foot, the purchase of 107,000 acre-feet would cost the authority approximately \$214 million (or about \$417.6 million over 30 years, assuming a 5 percent interest rate).

Under existing statute, with certain exceptions, for the period beginning January 1, 2008, the amount of permitted withdrawals from the aquifer may not exceed 400,000 acre-feet of water for each calendar year. Provisions of the bill would change the beginning date to January 1, 2010, and would clarify applicability of the withdrawals from the aquifer under regular permits. The authority states that the 400,000 acre-feet cap would result in the authority having to purchase 50,000 acre-feet at a total estimated cost of \$100 million; the cost would be divided equally with surface water rights holders downstream from the Comal and San Marcos springs. Over 30 years, each party would pay a cost of \$97.5 million, assuming a cost of \$2,000 per acre-foot and a 5 percent interest rate.

The authority estimates it would execute contracts for professional services to determine any adjustment to the amount of water eligible for permitting, at a cost of \$50,000 in fiscal year 2006. The authority would also incur additional costs of \$10,000 in the last quarter of calendar year 2003 and \$30,000 in calendar year 2004 to employ the services of legal counsel, impact assessment and hydrogeologic modeling teams.

The bill would require the authority to determine the extent to which permit holders may use programs to reduce or eliminate fees or certain taxes. The authority estimates the result would be an additional cost of \$20,000 in fiscal year 2004 only.

The authority would be required to ensure authorized withdrawals from non-exempt wells are reduced to 350,000 acre-feet annualized during critical periods. The authority states that to develop the current critical period/demand management rules in 2002 cost approximately \$200,000; it estimates revisions to meet the criteria of the bill would have a total cost of about 20 percent of that: \$10,000 in 2003 and



\$30,000 in 2004.

Local government entities (e.g., City of San Marcos, Hays County, City of San Antonio, Uvalde County, and Comal County) that withdraw water from the aquifer would also be impacted by the proposed changes provided in the bill. The entities listed were contacted regarding the fiscal impact of the bill. Because of the short notice, only the City of San Marcos was able to respond.

The City of San Marcos reports that the additional allowable withdrawal of 100,000 acre feet would eliminate the need to purchase and retire that quantity of permitted withdrawal rights. While the city estimated a savings based on \$1,700 per acre foot for a total savings of \$2.1 million for their 5,536 acre feet, the authority assumes the per acre foot rate would be \$2,000; therefore, the city's savings may be more than their estimated \$2.1 million. On the other hand, the city also notes a number of increased costs and potential revenue losses during dry or drought conditions that would likely occur. For example, the city estimates that during dry periods, the changes in the permitting of the Edwards Aquifer would result in the city having to obtain firm water supply to replace the aquifer source, at a cost of \$664,000 per year.

None of the municipalities nor counties that would be affected by implementation of the bill were able to provide information regarding the fiscal impact of the provisions of the bill.

**Local Government Impact**

The Edwards Aquifer Authority estimates it would experience a negative fiscal impact. The fiscal impact would vary by local government unit that draws water from the Edwards Aquifer.

**Source Agencies:**

**LBB Staff:** JK, CL, JB, DLBa

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 23, 2003**

**TO:** Honorable Robert Puente, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB3586** by Puente (Relating to powers and duties of the Edwards Aquifer Authority to manage and protect the Edwards Aquifer including groundwater withdrawals, permitting, aquifer management fees, recharge projects, demand management and transfers, the board of directors of the Edwards Aquifer Authority and revenue bonding authority.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend statutes related to the Edwards Aquifer Authority. The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

The Edwards Aquifer Authority identified sections of the bill that would have a fiscal impact on the authority, some of which would provide a savings and others that would result in increased costs. The authority estimates that costs associated with requirements related to board members would be \$5,000 in fiscal year 2004 and \$5,000 in fiscal year 2006. No estimate was provided regarding using aquifer management fees to fund the purchase or construction of water supply facilities, as the authority has no current plans to purchase or construct such facilities, but it is anticipated, use of the fees for that purpose would provide fiscal flexibility if needed.

According to the authority, changes in requirements related to the purchase of groundwater rights and permitted withdrawals would reduce costs by \$200 million annually. The authority also estimates that changes in groundwater rights to be retired would result in a savings of approximately \$100 million in fiscal year 2008, adding up to a savings of \$97.5 million over a 30-year period.

The authority estimates it would execute contracts for professional services to determine any adjustment to the amount of water eligible for permitting, at a cost of \$50,000 in fiscal year 2006. The authority would also incur additional costs of \$10,000 in the last quarter of calendar year 2003 and \$30,000 in calendar year 2004 to employ the services of legal counsel, impact assessment and hydrogeologic modeling teams.

The authority states that the section of the bill that would exempt federal facilities that have not waived sovereign immunity related to water permitting requirements from the rules under the provisions of the bill would result in the authority foregoing at least \$2.4 million in aquifer management fees.

Overall, the fiscal impact for the Edwards Aquifer Authority would be positive, with the savings and revenue gains outweighing any new costs or revenue losses. Other local government entities, however, estimate that the changes would result in an overall negative fiscal impact to those entities.

Those local government entities (e.g., City of San Marcos, Hays County, City of San Antonio, Uvalde County, and Comal County) that withdraw water from the aquifer would also be impacted by the proposed changes provided in the bill. The entities listed were contacted regarding the fiscal impact of the bill. Because of the short notice, only the City of San Marcos was able to respond.

The City of San Marcos reports that the additional allowable withdrawal of 100,000 acre feet would

10

eliminate the need to purchase and retire that quantity of permitted withdrawal rights. While the city estimated a savings based on \$1,700 per acre foot for a total savings of \$2.1 million for their 5,536 acre feet, the authority assumes the per acre foot rate would be \$2,000; therefore, the city's savings may be more than their estimated \$2.1 million. On the other hand, the city also notes a number of increased costs and potential revenue losses during dry or drought conditions that would likely occur. For example, the city estimates that during dry periods, the changes in the permitting of the Edwards Aquifer would result in the city having to obtain firm water supply to replace the aquifer source, at a cost of \$664,000 per year.

The City of San Marcos also estimates increased costs of about \$20 million to the city for adequate pipeline design, easements, and construction, as well as plant facility expansions to process surface water estimated by the city to total "tens of millions of dollars." The city also estimates significant revenue losses during dry periods because much of the city's tourism dollars rely on water from the aquifer. Overall, the city estimates that costs and revenue losses would exceed any savings.

### **Local Government Impact**

The fiscal impact would vary by local government unit and appears it would be generally positive for the Edwards Aquifer Authority and possibly negative or neutral for users of the aquifer.

### **Source Agencies:**

**LBB Staff:** JK, CL, JB, DLBa

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# Affidavit of Publication

THE STATE OF TEXAS  
COUNTY OF CALDWELL

On this the 18th day of March, 2003, personally appeared Dana Garrett, who states that he is Publisher of the Lockhart Post-Register, a newspaper of general circulation, published at Lockhart, in Caldwell County, State of Texas, and upon being duly sworn by me on oath states that the advertisement or legal notice, appearing herewith, is a true and correct copy of same as published in said newspaper on the following dates:

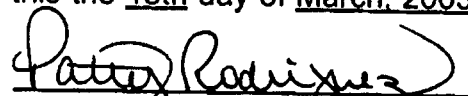
March 13, 2003

Legal Notice - Notice to intent to introduce a bill relating to Edwards Aquifer Authority



Dana Garrett, Publisher

Sworn and subscribed to before me this the 18th day of March, 2003

  
Notary Patty Rodriguez

My commission expires 5-17-2005



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**LEGAL NOTICE**

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

3-13-03

**NOTICE TO CONTRACTORS  
OF PROPOSED TEXAS  
HIGHWAY IMPROVEMENT  
CONTRACTS**

Sealed proposals for highway improvement contracts will be received by the Texas Department of Transportation (TxDOT) until the date(s) shown below, and then publicly read:

**CONSTRUCTION/  
MAINTENANCE  
CONTRACT(S)**

District: Austin

Contract 6096-93-001 for INSTALL/REMOVE RAISED PAVEMENT MARKERS in TRAVIS County, etc will be opened on April 01, 2003 at 1:00 pm at the State Office for an estimate of \$467,882.40. All prospective bidders are encouraged to attend the pre-bid conference for Contract 6096-93-001 to be held on March 18, 2003 at 10:00 am at the TxDOT, 7901 N. IH 35, BLDG. 7, AUSTIN, TX 78753.

Plans and specifications are available for inspection, along with bidding proposals, and applications for the TxDOT Prequalified Contractor's list, at the applicable State and/or District Offices listed below. Bidders must submit prequalification information to TxDOT at least 10 days prior to the bid date to be eligible to bid on a project. Prequalification materials may be requested from the State Office listed below. Plans for the above contract(s) are available from TxDOT's website at [www.dot.state.tx.us](http://www.dot.state.tx.us) and from reproduction companies at the expense of the contractor.

NPO: 9260

**State Office**

Construction Division  
200 E. Riverside Dr.  
Austin, Texas 78704  
Phone: 512-416-2540

**District Office(s)**

Austin District

District Engineer  
7901 N IH35

Austin, Texas 78761-5426

EXCEPT A 1.0 ACRE TRACT DESCRIBED IN VOLUME 449, PAGE 279, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$87,340.00, and an Estimated minimum opening bid of \$3,933.00;

**Suit No. 6542**, Account No(s). R25826, CALDWELL COUNTY APPRAISAL DISTRICT VS. MAYME L. WILSON, A/K/A MAYME LAMPKIN WILSON, ET AL, Real Estate described as: NORTH ADDITION TO THE CITY OF LULING, BEING MORE PARTICULARLY DESCRIBED IN DEED DATED SEPTEMBER 8, 1986 FROM RAYMOND KELLY, ET AL TO MAYME L. WILSON, RECORDED IN VOLUME 511, PAGE 66, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$68,120.00, and an Estimated minimum opening bid of \$18,590.00;

**Suit No. 6584**, Account No(s). R14932, CALDWELL COUNTY APPRAISAL DISTRICT VS. AZENIA ELLISON, ET AL, Real Estate described as: 2.5 ACRES, MORE OR LESS, OUT OF THE WISTAR EVANS SURVEY, AS DESCRIBED IN VOLUME 441, PAGE 539, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$8,920.00, and an Estimated minimum opening bid of \$4,969.00;

**Suit No. 6672**, Account No(s). R16537, CALDWELL COUNTY APPRAISAL DISTRICT VS. ALVIN J. HELMERS, ET AL, Real Estate described as: 0.767 ACRE, MORE OR LESS, OUT OF LOT 3, BLOCK 2, OAK TRAILS SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED IN DEED DATED JULY 2, 1978, FROM J.L. HOWZE TO ALVIN T. HELMERS, RECORDED IN VOLUME 397, PAGE 427, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$30,870.00, and an Estimated minimum opening bid of \$7,069.00;

**Suit No. 6707**, Account No(s). R25714, CALDWELL COUNTY APPRAISAL DISTRICT VS. THELMA SYRELL, A/K/A THELMA SYRELL BURSE, Real Estate described as: LOT 22, BLOCK 3, BRIDGE'S ADDITION, CITY OF LULING, CALD-

WELL COUNTY AND CITY OF MARTINDALE VS. EDVIN A. ROHLACK, Real Estate described as: TRACT 1: 0.813 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT 21, CITY OF MARTINDALE, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 462, PAGE 356, DEED RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$164,810.00, and an Estimated minimum opening bid of \$4,717.00;

**Suit No. 6094**, Account No(s). 20-0021-1085-00000-3, R27896, SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, CALDWELL COUNTY AND CITY OF MARTINDALE VS. EDVIN A. ROHLACK, Real Estate described as: TRACT 2: 1.90 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT 21, CITY OF MARTINDALE, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 50, PAGE 678, DEED RECORDS OF CALDWELL COUNTY, TEXAS, SAVE AND EXCEPT THAT RIGHT OF WAY EASEMENT CONVEYED TO CALDWELL COUNTY, OF RECORD IN VOLUME 228, PAGE 205, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS, with an adjudged value of \$77,800.00, and an Estimated minimum opening bid of \$2,583.00;

(any volume and page references, unless otherwise indicated, being to the Deed Records, Caldwell County, Texas, to which instruments reference may be made for a more complete description of each respective tract.) or, upon the written request of said defendants or their attorney, a sufficient portion of the property described above shall be sold to satisfy said judgment(s), interest, penalties, and cost; and any property sold shall be subject to the right of redemption of the defendants or any person having an interest therein, to redeem the said property, or their interest therein, within the time and in the manner provided by law, and shall be

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**AFFIDAVIT OF PUBLICATION**

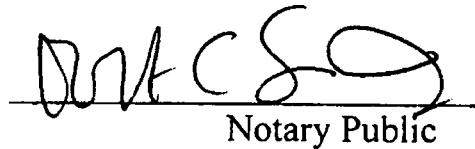
STATE OF TEXAS

COUNTY OF BEXAR

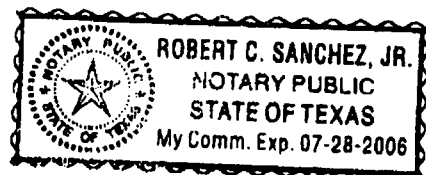
Before me, a Notary Public in and for Bexar County,  
this day personally appeared Tino Duran (Title) Publisher of  
La Prensa De San Antonio who being duly sworn by oath, stated that  
the attached LEGAL NOTICE – INTENT TO INTRODUCE IN THE 78<sup>TH</sup>  
TEXAS LEGISLATURE ran in  
La Prensa Spanish Language Newspaper on MARCH 16, 2003

  
Signature

SWORN TO AND SUBSCRIBED BEFORE ME THE 16TH DAY OF  
MARCH 2003.

  
Notary Public

My Commission expires: July 28, 2006



# Supplier finishing Products



**BRITE**  
Leading Manufacturer of  
Positive Reconditioning  
Products • Dressing • Soaps • Cleaners  
& Dyes  
**767-9559**

**LEGAL NOTICE**  
Application has been made with the Texas  
Alcoholic Beverage Commission for a **GENERAL CLASS B**  
**WHOLESALE'S PERMIT** by **CHLOE WHOLESALE, L.L.C.**  
to be located at **4845 GOLDFIELD ROAD, SUITE 115,**  
**SAN ANTONIO, TEXAS 78218.** Owners are:  
**Melissa Talavera Espino, Manager/Member**  
**Ruben S. Corvalan, Manager/Member**  
**Felipe Benavente, Member**

**LEGAL NOTICE**  
This is to give notice of intent to introduce in the 78th  
Texas Legislature, Regular Session, a bill to be entitled  
an Act relating to the administration, powers, and duties  
of the Edwards Aquifer Authority, including the qualifica-  
tions of the board of directors, and the issuance of bonds.  
  
Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

## AVISO PÚBLICO OFICIAL

Condado de Bexar, Texas

Dirigir propuestas selladas acerca de IFB 2003-115 para  
Finger Printing Equipment a Charles Eads, C.P.M., Agente  
de Compras del condado de Bexar, Vista Verde Plaza,  
233 N. Pecos, Suite 320, San Antonio, Texas 78207. Las  
propuestas serán aceptadas hasta las 10:00 A.M. en  
punto, Hora Central, el 28 de marzo, 2003. Copias de las  
Especificaciones se pueden obtener o revisar en el  
Departamento de Compras, Vista Verde Plaza, 233 N.  
Pecos, Suite 320 (tercer piso), San Antonio, Texas 78207  
sin costo alguno. El licitante deberá utilizar precio por  
unidad. El Condado de Bexar hará pago por medio de  
cheque. Las fianzas de Propuesta y de Ejecución **no son**  
requeridas.  
[www.bexar.org](http://www.bexar.org)

CHARLES EADS, C.P.M.  
Agente de Compras del Condado

**WESTERN UNION 242-7900**

3/16/03



**COME SEE THE BEST**

**La S**  
idades han venido contribuyendo en  
coles 2 y vien  
go 6 de abril  
boteros de adi  
Rampage, tiene seis compromisos  
mas de forma consecutiva en el SBC  
Center dentro del rol regular de la AHL  
y cerrarán con bronche de oro, vis-  
itando a los Aeros de Houston y Chi-  
cago Wolves por partida doble, el mier-



# nador del Rampage Scott Allen debi

Sebastián Abreu habló a nombre de  
vivo con los Diablos Rojos de Tolu-  
ca, conquistando tres campeonatos  
de fútbol azteca.  
Si logra levantar al Cruz Azul de  
coles, diciendo que bajo ninguna  
sus compañeros este pasado mier-

Enrique Meza. (Notimex)

THE STATE OF TEXAS }  
County of Hays: }

Before me, the undersigned, holding the office of **Notary Public** in and

for Hays County, Texas, personally appeared Mike Mueck,  
who states under oath that he is the publisher of the San Marcos Daily Record, a newspaper which has been  
regularly and continuously published in San Marcos, Hays County, Texas, for a period of more than one  
year immediately preceding the date of publication of this notice and that the Notice by Publication hereto

attached was published in the regular edition of said newspaper for a period of \_\_\_\_\_

One day on the following dates

March 16, 2003, \_\_\_\_\_, 20\_\_\_\_

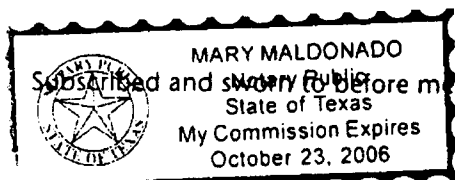
\_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_, a printed clipping of said notice being hereto attached.

The said publisher further states that the rate charged for this publication is the lowest rate charged  
commercial advertisers for the same class of advertising for a like amount of space.

(Signed) Mike Mueck  
Publisher



this 18 day of March 2003

Mary Maldonado

Marops, City Hall Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666. Award is scheduled for the April 28, 2003 City Council meeting at 7:00pm or any subsequent time thereafter.

IT IS UNDERSTOOD that the City of San Marcos reserves the right to reject any and/or all bids as it shall deem to be in the best interest of the City.

For any questions contact Cheryl Pantermuehl, CPPB, Purchasing Manager at 512-393-8170 or at [cosmpurchasing@ci.san-marcos.tx.us](mailto:cosmpurchasing@ci.san-marcos.tx.us)

040 Public Notices

040 Public Notices

LEGAL NOTICE 3-16-03

This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

040 Public Notices

040 Public Notices

**EDWARDS AQUIFER AUTHORITY REQUEST  
FOR PROPOSALS FOR TRACER TESTING,  
STORMWATER MONITORING, AND WATER  
SAMPLING**

The Edwards Aquifer Authority invites qualified firms to submit sealed proposals for

\$4550. Financing available. 392-8555

1998 CHEVY Camaro Z28, 2 dr. conv., 5.7l engine, gold paint, exc. cond. Adult owned. 12 disc CD, 35Kmi, \$15K. 738-1536

2000 MITSUBISHI Eclipse GS Red/tan, 4cyl/5-speed, fog lights, alloys, spoiler, moonroof, leather, cd, power equip, tint, 30K, very clean, only \$13995, J.P. Green

2001 CHEVROLET Cavalier White/gray, 4dr, automatic, 35K miles cold a/c, nice car, \$8295, J.P. Green 512-805-6209

2001 CHEVROLET CAVALIER. White/gray, 4dr, automatic, 35k miles, cold a/c, nice car. \$8295. J.P. Green, 805-6209

2001 FORD MUSTANG CONVERTIBLE. Red/tan/tan, V6/auto, alloys, cd/cass., power equip, abs, leather, cruise, remote, 42k, NICE, \$15,695. J.P. Green, 805-6209.

2001 JEEP Wrangler

Apply in person  
3946 IH-35 S. • Exit  
Across from the Prime C  
Mon.-Thurs. 11-6:45 • Fri.  
Sat. 10-8:45 • Sun. 11



Got  
quest  
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Call 392-245  
and ask Mary or I  
about line ad  
or Julie about  
classified display  
(classified ad  
with a border

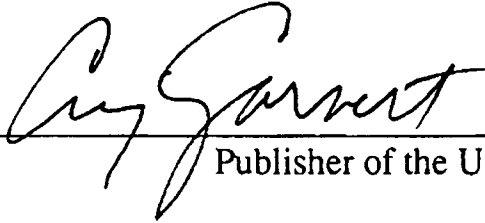


PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS }  
COUNTY OF UVALDE )

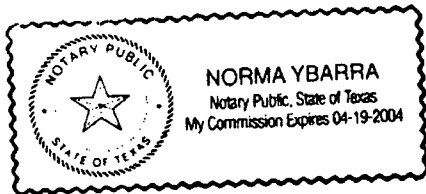
Before me, the undersigned authority, on this day personally appeared Craig Garnett, known to me, who being by me duly sworn on oath deposes and says that he is the Publisher of *The Uvalde Leader-News*, a newspaper of general circulation published in the county of Uvalde, Texas at least two days a week, and that the attached is a true and correct copy of notice which was published in said newspaper on the following dates:

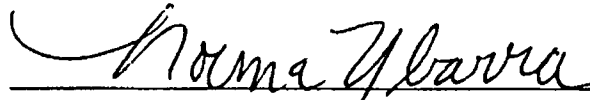
March 13, 2003



Publisher of the Uvalde Leader-News

Subscribed and sworn to before me this the 18th day of March 2003.





Notary Public, Uvalde County, Texas

**LEGAL NOTICE**

This is to give notice of intent to introduce in the 76th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas  
78215

210-222-2204 or  
1-800-292-1047

THE NEW BRAUNFELS HERALD-ZEITUNG  
NEW BRAUNFELS, TEXAS

NEW BRAUNFELS HERALD-ZEITUNG

EDWARDS AQUIFER AUTHORITY  
1615 N ST MARY'S St  
SAN ANTONIO TX 78215-1415

REFERENCE: 12512250  
561790 INV 4043/LEGAL NOTIC

STATE OF TEXAS  
COUNTY OF COMAL

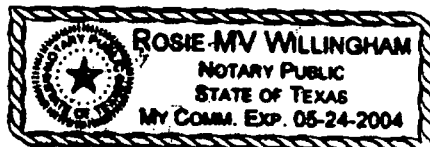
Before me, the undersigned authority, on this day, personally appeared, Heather Grant, who being duly sworn, deposes and says that she is the business manager of the New Braunfels Herald-Zeitung: that said newspaper is regularly published in Comal County and generally circulated in Comal, Guadalupe, Hays, and Bexar counties, Texas: that the attached notice was published on the following date.

Heather Grant  
Heather Grant--Business Manager

PUBLISHED ON: 03/13

FILED ON: 03/14/03

Subscribed and sworn before me this 14th of March 2003 A.D.



Rosie MV Willingham  
Notary Public

**110** Legal Notices

**LEGAL NOTICE**

This is to give notice of Intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

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# Hondo Anvil Herald

P.O. Box 400, Hondo, Texas 78861

## PUBLISHER'S AFFIDAVIT

The State of Texas)  
County of Medina)

Before me, the undersigned authority,  
on this day did personally appear Frances  
Guinn, a person known to me, who on her  
oath stated:

That she is the Editor of the Hondo An-  
vil Herald, a newspaper published in Me-  
dina County, Texas, and which newspa-  
per is of general circulation and has been  
published for more than twelve (12)  
months prior to the insertion of the at-  
tached notice, and

That she knows the facts stated in this  
affidavit.

That the attached printed matter is a true  
and correct copy of the publication of the  
notice of which it purposes to be a true  
copy, as the same appeared in such news-  
paper in the respective issues of:

Mar 13, 03

and That the charge of such newspaper

being \$ 7.00

Frances Guinn

Frances Guinn, Editor

Subscribed and sworn to before me on

this the 18 day of

March, 2003

Cathy A. Walton

Notary Public

Medina County, Texas

## LEGAL NOTICE

This is to give notice of intent to in-  
troduce in the 78th Texas Legislature,  
Regular Session, a bill to be entitled  
as an Act relating to the administra-  
tion, powers, and duties of the  
Edwards Aquifer Authority, including  
the qualifications of the board of di-  
rectors, and the issuance of bonds.

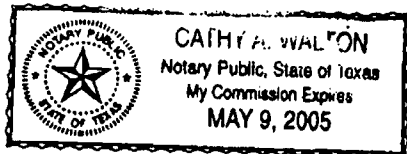
Edwards Aquifer Authority

1615 N. St. Mary's Street

San Antonio, Texas 78215

210-222-2204 or 1-800-292-1047

Pub.: Mar. 13, 2003



STATE OF TEXAS     )

BEXAR COUNTY     )

BEFORE ME, the undersigned authority;

personally appeared

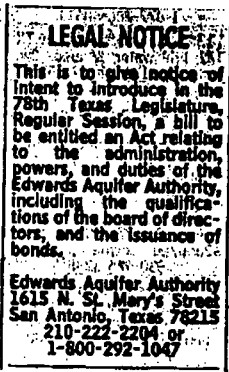
Urai Chokedee

to me personally known to be the

Bookkeeper

of THE HEARST CORPORATION (SAN ANTONIO EXPRESS-NEWS DIVISION), DAILY NEWSPAPERS  
published in the City of San Antonio, in the county and state aforesaid, and being by me first duly sworn,  
disposes and says that the advertisement of

Acct#092352002  
Ad#15830  
Edwards Aquifer Authority

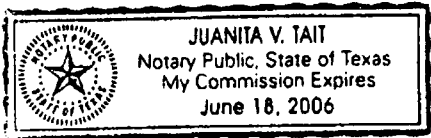


appeared in all editions of said newspaper on the following dates:

3/13/2003

Urai Chokedee

Subscribed and sworn to this     18th     day of     March     2003



Juanita V. Tait  
Notary Public, State of Texas

My commission  
Expires     6-18-2006

21

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS,

County of Guadalupe

Before me, the undersigned authority, on this date personally appeared

Tommy Crow, known to me, who, being by me duly sworn, on his oath deposes and says that he is the Publisher of The Seguin Gazette-Enterprise, a newspaper of general circulation, published in said county; that a copy of the within and foregoing notice was published in said newspaper 1 time(s) before the return day named therein, such publications being on the following dates:

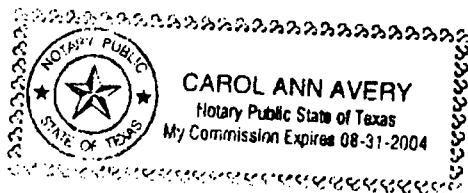
March 13, 2003  
\_\_\_\_\_  
\_\_\_\_\_

and a newspaper copy of which is hereto attached.

[Signature]

Sworn to and subscribed before me this 18<sup>th</sup> day of March, A.D., 2003.

[Signature]



Notary Public, Guadalupe County, Texas

22

# CLASS

To Place, Cancel or Correct Your  
Fax Your Ad to 379-8328 Office Hours: Monday - Friday, 8

## ANNOUNCEMENTS

100 - 150

100 Garage & Yard Sale  
102 Auctions  
103 Estate Sales  
110 Legal Notices  
120 Notices  
130 Lost & Found  
140 Personals  
150 Card of Thanks

## PETS & LIVESTOCK

210 - 250

210 Dogs, Cats &  
Misc. Pets  
220 Pet Supplies  
230 Livestock &  
Supplies  
240 Breeding &  
Training  
250 Farm Equipment

## EMPLOYMENT

310 - 360

310 Business  
Opportunities  
315 Accounting &  
Bookkeeping  
320 Secretarial &  
Clerical  
325 Medical & Dental  
330 Professional &  
Business  
335 Retail & Sales

340 Restaurants &  
Clubs  
345 Skills & Trades  
350 Domestic  
355 Full Time &  
Part Time  
360 Jobs Needed

## RENTALS

405 - 480

410 Apartments  
420 Mobile Homes  
430 Waterfront

The Service Index Is Published Daily  
In the Business & Service Directory.

## ANNOUNCEMENTS

100 Garage Sales &  
Yard Sales

1431 SIXTH ST.  
Fri. 9-2 Clothes, jewel-  
ry, music, misc.

230  
PATTON DR.  
Fri. 3/14, 9-?  
Lots of misc. items.

2648 BLUMBERG  
PARK RD.  
(access Rd 1-10 at FM  
464) Sat & Sun, 9-5.

445 SMITH FALOR RD  
Take 467 to Sweet  
Home follow signs. Sat.  
9-12. Many misc items

6652 FM 725  
1 mile from Pic & Pac in  
McQueeney. Thurs. Fri.  
& Sat. 8-? 3 Fam.  
sale. Many misc items.

704 BISMARCK  
Sat. 9-? Multi-Fam  
sale, clothing all sizes,  
maternity, baby items,  
furn & lots more!

944 ZARAGOZA  
Fri. 9-3 Sat. 9-3 March  
14 & 15 sofa, baby bed  
mattress, rain or shine

283 MEADOW LAKE  
830-072-272-  
dep/000CS

100 Garage Sales &  
Yard Sales

126 RIO GRANDE DR.  
And Colorado in Park-  
view Estates. Fri. 2-6  
& Sat. 8-2, Misc. items.

ESTATE SALE  
4753 Gin Rd. off I-10  
West. March 15, 8-5.  
Greatly reduced! Exit  
#597 Santa Clara Rd.  
S., right @ Gin rd. fol-  
low signs.

140 OLDTOWNE  
Sat. 3/15/03 9-1 Full  
size bed, Sectional so-  
fa, kitchen table & 4  
chairs, doors, windows,  
dishwasher. Too much  
to mention. Don't miss  
it! Call 379-2067 after  
5:00 pm.

KINGSBURY SCHOOL  
Rifle, meat scale, furn.,  
clothes, Coca Cola  
sign, doors, hay rake,  
books. Fri. & Sat. 9-?

110 Legal Notices

NOTICE OF SALE  
STOR-MOR MINI  
STORAGE

110 Legal Notices

## LEGAL NOTICE

This is to give notice of  
intent to introduce in  
the 78th Texas Legisla-  
ture, Regular Session  
a bill to be entitled an  
Act relating to the ad-  
ministration, powers,  
and duties of the Ed-  
wards Aquifer Authority,  
including the qualifica-  
tions of the board of di-  
rectors, and the issu-  
ance of bonds.

Edwards Aquifer  
Authority  
1615 N. St. Mary's  
Street  
San Antonio, Texas  
78215  
210-222-2204 or 1-800-  
292-1047

## NOTICE TO BIDDERS

Seguin Independent  
School District is ac-  
cepting sealed propos-  
als at 1221 E. Kings-  
bury, Seguin, TX 78155  
for the following:

130 Lost & Found

## LOST CAT

Part Siamese, white w/  
light brown markings.  
Country Club area.  
Heartbroken children.  
(210)559-3826.

FOUND BEAGLE  
Off Schneider Rd. Red &  
white, un-neutered male.  
Local 830-743-3035.

## FOUND

Small male terrier look-  
ing dog. White & tan  
w/curly tail, freindly call  
372-3575

## 2 PUPPIES

Found. Free to a good  
home. Come by and  
see them. 830-560-  
1377

## \*\*CLASSIFIEDS\*\*

PETS & LIVESTOCK  
210 - 250

210 Dogs, Cats &  
Misc. Pets

## ADULT DOGS

Seek love and  
good living home

250

## JOH

Model  
w/shreddi  
76 hours  
379-4568.

NEED C  
Before plac  
379-5441.

## EMPL

310

320

## FULL CL

Are you fr  
team playi  
willing to  
tional Cus  
Ice? Luling  
Health Cer  
immediate  
a full-time  
be professi  
tual and a  
One-year m  
experience.  
working e  
hours, per  
competitive

# Publishers Affidavit

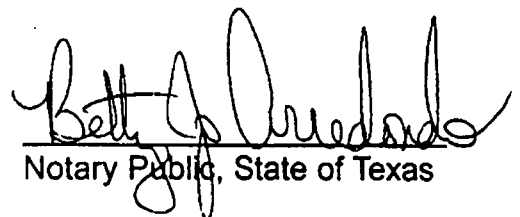
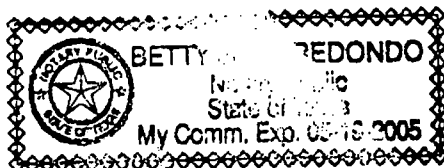
I solemnly swear the enclosed notice was published in the Leader News, a newspaper published in Lytle, County of Atascosa, Texas and of general circulation in Atascosa, Medina and Bexar counties, as provided in the Texas Probate Code for the service of citation or notice by publication.

The date(s) said notice was published was March 13, 2003. A copy of the notice published, clipped from the newspaper, is enclosed hereto.



Reagon Clamon  
Publisher

Subscribed and sworn to before me, this 18<sup>th</sup> day of March, 2003, to certify which witness my hand and seal of office.

  
Notary Public, State of Texas

Seal:



# lytle news

Leader News  
March 13, 2003  
Page 13

**BUSINESS: \$6 for the first 10 words 20\$ thereafter • Deadline Tuesday 10 am**

## Homes For Sale



new 16x80 with delivery, A/C,  
irting and hookups included!  
ow \$159 bi-weekly, 9 year  
yout. 10% Dn, 10% APR,  
AC. 210-654-1081.

Bank Repos ready for move in.  
E. Area, EZ Qualify. 1-800-  
0-0244.

enters Wanted! 3/2 ready for  
ove-in Convienient location.  
ill now! 1-800-230-1734 ask  
r Christopher.

or sale by owner. Singlewide  
land in N.W. San Antonio,  
lly improved. Large trees. 210-  
4-4551.

## PUBLIC NOTICES

The Natalia ISD Administration Office and Tax Office will be closed Monday, March 10 through Friday, March 14, 2003 for Spring Break. The March Board of Trustees meeting will be held Monday, March 17, 2003 at 7:00 p.m. in the District Conferences Center in the Natalia Junior High School.

-----  
This is to give notice of intent to introduce in the 78th Texas Legislature, Regular Session, a bill to be entitled an Act relating to the administration, powers, and duties of the Edwards Aquifer Authority, including the qualifications of the board of directors, and the issuance of bonds.

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215  
210-222-2204 or 1-800-292-1047

**Place your free ad today!**  
**Just call**  
**(830) 709-3515**



6075 WT Montgomery Rd. San Antonio TX 78252

## REPO LIQUIDATION CENTER

98	FW FESTIVAL	4/2	16X56	14,500
99	FW-FESTIVAL	2/1	16X56	14,900
96	TOWN & COUNTRY	3/2	16X76	16,900
98	FW-CORONADA	3/2	16X76	18,900
95	CAVALIER	3/2	16X76	17,000
98	FW-FESTIVAL		16X76	17,500
94	GUERDON	3/2	16X76	12,500
97	FLEETWOOD	3/2	28X56	26,500
99	CRESTRIDGE	3/2	28X60	24,500
96	SCHULT	3/2	16X80	750
97	MELODY	3/2	14X60	2,500

**DON'T DELAY  
SUBSCRIBE  
TODAY!**

**P.O. Box 148  
Lytle, TX  
78052  
(830) 709-3515**

H.B. No. 3586

By Robert A. Puente

A BILL TO BE ENTITLED  
AN ACT

relating to powers and duties of the Edwards Aquifer Authority to manage the Edwards Aquifer Authority including groundwater withdrawals, permitting, aquifer management fees, recharge projects, demand management and transfers, the board of directors of the Edwards Aquifer Authority and revenue bonding authority.

APR 15 2003

Filed with the Chief Clerk

APR 16 2003

Read first time and referred to Committee on NATURAL RESOURCES

APR 28 2003

Reported \_\_\_ favorably ~~(amended)~~  
(as substituted)

MAY 07 2003

Sent to Committee on (Calendars)  
~~(Natural Resources)~~

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Engrossed

Sent to Senate

\_\_\_\_\_  
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

\_\_\_\_\_  
Received from the House

\_\_\_\_\_  
Read and referred to Committee on \_\_\_\_\_

\_\_\_\_\_  
Reported favorably \_\_\_\_\_

\_\_\_\_\_  
Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

\_\_\_\_\_  
Ordered not printed

\_\_\_\_\_  
Laid before the Senate

\_\_\_\_\_  
Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

\_\_\_\_\_  
Read second time, \_\_\_\_\_, and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

\_\_\_\_\_  
Senate and Constitutional 3 Day Rules suspended by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_  
Read third time, \_\_\_\_\_, and passed by (a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

\_\_\_\_\_  
Returned to the House

\_\_\_\_\_  
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

\_\_\_\_\_ Returned from the Senate (as substituted)  
(with amendments)

\_\_\_\_\_ House concurred in Senate amendments by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference committee report adopted (rejected) by the House by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays)

03 MAY -6 PM 12: 52

HOUSE OF REPRESENTATIVES